

PREPARED BY:

ELIZABETH WARREN-MIKES, ESQ.
Sonnenschein Nath & Rosenthal
8000 Sears Tower, 77th Floor
Chicago, Illinois 60606



0030434827

WHEN RECORDED MAIL TO:

ELIZABETH WARREN-MIKES, ESQ.
Sonnenschein Nath & Rosenthal
8000 Sears Tower, 77th Floor
Chicago, Illinois 60606

807995022882

SPECIAL WARRANTY DEED

THIS DEED, made and entered into as of this 24th day of March, 2003, by and between **JBC FUND 111 WACKER, L.L.C.**, a Delaware limited liability company, with an address of One North Wacker Drive, Suite 2400, Chicago, Illinois 60606 ("**Grantor**"), and **JOHN BUCK 111 WACKER LLC**, a Delaware limited liability company, with an address of One North Wacker Drive, Suite 2400, Chicago, Illinois 60606, **JOHN O'DONNELL 111 WACKER LLC**, a Delaware limited liability company, with an address of One North Wacker Drive, Suite 2400, Chicago, Illinois 60606, **WILLIAM MOODY 111 WACKER LLC**, a Delaware limited liability company, with an address of One North Wacker Drive, Suite 2400, Chicago, Illinois 60606 and **ROBERT CHODOS 111 WACKER LLC**, a Delaware limited liability company, with an address of One North Wacker Drive, Suite 2400, Chicago, Illinois 60606 (collectively "**Grantee**").

WITNESSETH, that Grantor for and in consideration of the sum of Ten Dollars (\$10.00) paid by Grantee, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain, Sell and Convey and Confirm unto John Buck 111 Wacker LLC, a Delaware Limited Liability Company, a fifty one and 5434/10000 percent (51.5434%) undivided interest, John O'Donnell 111 Wacker LLC, a Delaware Limited Liability Company, a twenty seven and 7488/10000 percent (27.7488%) undivided interest, William Moody 111 Wacker LLC, a Delaware Limited Liability Company, a fourteen and 7841/10000 percent (14.7841%) undivided interest and Robert Chodos 111 Wacker LLC, a Delaware Limited Liability Company, a five and 9237/10000 percent (5.9237%) undivided interest as Tenants-in-Common and to the following described real estate situated in the County of Cook and State of Illinois, to wit:

See Exhibit A as attached hereto and incorporated herein by reference.

This conveyance is made by Grantor and accepted by Grantee subject to the matters set forth in Exhibit B attached hereto and made a part hereof (hereinafter, the "**Permitted Exceptions**").

BOX 333-CT

UNOFFICIAL COPY

TO HAVE AND TO HOLD the Property, subject to the Permitted Exceptions, unto Grantee, its successors and assigns, and Grantor does hereby bind itself, its legal representatives, successors and assigns, to **WARRANT** and **DEFEND** all and singular the Property unto the Grantee, its successors and assigns, against Grantor and every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through or under Grantor, but not otherwise, subject to the Permitted Exceptions.

The real estate described in Exhibit A is not a Homestead property.

Permanent Real Estate Index Number: 17-16-208-001-0000
17-16-208-002-0000
17-16-208-003-0000
17-16-208-018-0000

Address(es) of real estate: 111 South Wacker Drive, Chicago, Illinois 60606

SIGNATURE PAGE ATTACHED HERETO AND MADE A PART HEREOF

City of Chicago
Dept. of Revenue
303473
03/27/2003 10:33 Batch 11822 16

Real Estate
Transfer Stamp
\$142,500.00



FP326660
1900000
REAL ESTATE TRANSFER TAX

0000050339

REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE



MAR. 27. 03

STATE TAX

STATE OF ILLINOIS

COOK COUNTY
REAL ESTATE TRANSACTION TAX
REVENUE STAMP

COUNTY TAX

MAR. 27. 03



0000099673

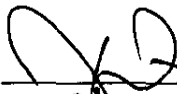
REAL ESTATE TRANSFER TAX
0950000
FP326670

30-13-1827

UNOFFICIAL COPY

IN WITNESS WHEREOF, the Grantor has executed this deed this 24th day of March, 2003.

JBC FUND 111 WACKER, L.L.C.,
a Delaware limited liability company

By: 
Name: John O'Donnell
Its: Authorized Signatory

Property of Cook County Clerk's Office

30434827

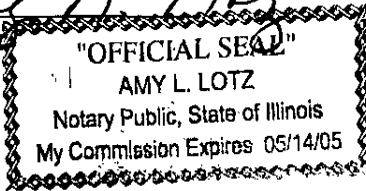
UNOFFICIAL COPY

STATE OF ILLINOIS §
 §
COUNTY OF COOK §

On March 20, 2003, before me, the undersigned, a notary public in and for said State, personally appeared John Q. O'Donnell, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that, by his/her/their signature(s) on the instrument, the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

My Commission Expires:

Amy L. Lotz
Notary Public



"OFFICIAL SEAL"
AMY L. LOTZ
Notary Public, State of Illinois
My Commission Expires 05/14/05

SEND SUBSEQUENT TAX BILLS TO:

John Buck 111 Wacker, LLC
One North Wacker Drive, Suite 2400
Chicago, Illinois 60606

30-13-1827

UNOFFICIAL COPY

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

LOTS 1 AND 2 AND LOT 5 (EXCEPT THE NORTH 1 FOOT OF LOT 5) IN OGDEN'S SUBDIVISION OF LOT 1 IN BLOCK 82 IN SCHOOL SECTION ADDITION TO CHICAGO, IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS A AND B IN J. V. FARWELL JR. RESUBDIVISION OF LOTS 3, 4 AND 6 AND THE NORTH 1 FOOT OF LOT 5, TOGETHER WITH VACATED ALLEY BETWEEN SAID LOTS 4 AND 6 AND EAST OF SAID LOTS 3 AND 6 IN OGDEN'S SUBDIVISION OF LOT 1 IN BLOCK 82 IN SCHOOL SECTION ADDITION TO CHICAGO, IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOT 2 (EXCEPT THE EAST 18 FEET THEREOF) IN BLOCK 82 IN SCHOOL SECTION ADDITION TO CHICAGO IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

THE SOUTH 1/2 OF MONROE STREET NORTH OF AND ADJACENT TO THE FOLLOWING DESCRIBED PROPERTY: LOT 1 IN OGDEN'S SUBDIVISION OF LOT 1 OF BLOCK 82 IN SCHOOL SECTION ADDITION TO CHICAGO, AND LOT 2 (EXCEPT THE EAST 18 FEET THEREOF) OF BLOCK 82 IN SCHOOL SECTION ADDITION TO CHICAGO ALL IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

EASEMENT FOR THE BENEFIT OF PARCELS 1 THROUGH 4 AS CREATED BY THE ENCROACHMENT AND CONSTRUCTION EASEMENT AGREEMENT RECORDED JANUARY 6, 2003 AS DOCUMENT 0030023092 FOR THE PURPOSE OF INSTALLING, MAINTAINING, CLEANING, REPAIRING AND RESTORING BAY WINDOWS, FINS, PANELS AND OTHER PERMANENT PROJECTIONS FROM THE NEW BUILDING LOCATED ON LAND AND FOR THE PURPOSE OF ACCESS FOR CLEANING, MAINTAINING, REPAIRING AND RESTORING OF OTHER PORTIONS OF SUCH NEW BUILDING OR SUBSEQUENT BUILDINGS; FOR THE PURPOSE OF INSTALLING, MAINTAINING, REPAIRING AND RESTORING FOUNDATIONS AND CAISSONS FOR THE SUPPORT OF THE NEW BUILDING; FOR INGRESS AND EGRESS OVER, ACROSS AND THROUGH THE "MONROE <BLDG", LOCATED EAST AND ADJOINING LAND, TO AND FROM THE ROOFTOP EASEMENT AREA FOR THE PURPOSE OF INSTALLING, MAINTAINING, REPAIRING AND RESTORING SUCH ASSEMBLIES AND RELATED IMPROVEMENTS AS MAY BE DEEMED NECESSARY; AND A TEMPORARY, NON-EXCLUSIVE EASEMENT FOR THE PURPOSE OF CONSTRUCTING AND EQUIPING THE <NEW BUILDING, THE USE OF THE ALLEY

30-13-1827

UNOFFICIAL COPY

EASEMENT AREA AS A STAGING AREA FOR TRUCKS AND EQUIPMENT AND ANY OTHER RELATED PURPOSES FOR THE CONSTRUCTION OF IMPROVEMENTS ON LAND.

PARCEL 6:

EASEMENT FOR THE BENEFIT OF PARCELS 1 THROUGH 4 FOR LIGHT AND AIR AND UNOBSTRUCTED VIEW FOR A TERM ENDING ON THE EARLIER OF: A) THE INITIAL EXPIRATION DATE DEFINED IN THE OFFICE LEASE, OR B) THE DATE ON WHICH THE OFFICE LEASE TERMINATES, OVER AND ACROSS THE PROPERTY EAST AND ADJOINING AS CREATED BY THE EASEMENT AGREEMENT RECORDED OCTOBER 16 2002 AS DOCUMENT 0021135113.

Commonly known as: 111 S. Wacker Drive, Chicago, Illinois

Property Index Numbers: 17-16-208-001-0000
17-16-208-002-0000
17-16-208-003-0000
17-16-208-018-0000

30434827

UNOFFICIAL COPY

EXHIBIT B

PERMITTED EXCEPTIONS

1. TAXES FOR THE YEAR(S) 2002 AND 2003

2003 TAXES ARE NOT YET DUE OR PAYABLE.

NOTE: 2002 FINAL INSTALLMENT NOT YET DUE OR PAYABLE.

G 9. THE LAND LIES WITHIN THE BOUNDARIES OF A SPECIAL SERVICE AREA AS DISCLOSED BY ORDINANCE RECORDED AS DOCUMENT 91075841, AND IS SUBJECT TO ADDITIONAL TAXES UNDER THE TERMS OF SAID ORDINANCE AND SUBSEQUENT RELATED ORDINANCES.

NOTE: THERE IS NO TAX DUE OR PAYABLE AT THIS TIME.

H 10. RIGHTS OF THE STATE OF ILLINOIS, THE CITY OF CHICAGO, AND THE PUBLIC AND THE ADJOINING OWNERS IN AND TO LAND BY REASON OF THE PUBLIC EASEMENT CREATED BY DEDICATION THEREOF FOR STREETS BY THE PLAT OF SCHOOL SECTION ADDITION TO CHICAGO RECORDED AUGUST 4, 1846 AS DOCUMENT 34645.

(AFFECTS PARCEL 4)

I 11. COVENANT AND AGREEMENT CONTAINED IN THE AGREEMENT RECORDED FEBRUARY 22, 2000 AS DOCUMENT 00128305 AND FIRST AMENDMENT TO AGREEMENT RECORDED FEBRUARY 16, 2001 AS DOCUMENT NUMBER 0010128297 THAT ANY BUILDING OR STRUCTURE CONSTRUCTED ON THE LAND SHALL BE SET BACK FROM ITS SOUTHERN PROPERTY LINE A MINIMUM OF 12 FEET; PROVIDED, HOWEVER, THIS SET-BACK RESTRICTION SHALL NOT APPLY TO THAT PORTION OF ANY BUILDING OR STRUCTURE CONSTRUCTED BELOW THE EXISTING GRADE OF SAID SOUTHERN PROPERTY LINE.

(AFFECTS THE SOUTH 30 FEET OF PARCEL 3)

J 12. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THE AGREEMENT RECORDED FEBRUARY 22, 2000 AS DOCUMENT 00128806, THAT ANY BUILDING OR STRUCTURE CONSTRUCTED ON THE LAND SHALL BE SET BACK FROM ITS SOUTHERN PROPERTY LINE NOT LESS THAN 12 FEET; PROVIDED HOWEVER, THIS SET-BACK RESTRICTION SHALL NOT APPLY TO THAT PORTION OF ANY BUILDING OR STRUCTURE CONSTRUCTED BELOW THE EXISTING GRADE OF SOUTH WACKER DRIVE. ALSO, NO BUILDING OR STRUCTURE SHALL BE ERECTED ABOVE A HEIGHT OF 70 FEET ABOVE CHICAGO CITY DATUM OR 50 FEET ABOVE THE EXISTING GRADE OF SOUTH WACKER DRIVE, WHICHEVER IS GREATER, OVER THAT PORTION OF THE SUBJECT PROPERTY BOUNDED AS FOLLOWS: THE WEST PROPERTY LINE; A LINE 27 FEET NORTH OF AND PARALLEL TO THE SOUTH PROPERTY LINE; A LINE 30 FEET EAST OF AND PARALLEL TO THE WEST PROPERTY LINE; AND THE SOUTH PROPERTY LINE.

(AFFECTS ALL OF PROPERTY IN QUESTION)

L 14. TERMS AND PROVISIONS OF RIGHT OF FIRST OFFER IN FAVOR OF DELOITTE & TOUCHE (USA) LLC, WITH RESPECT TO THE OFFICE FLOORS OF THE ENTIRE BUILDING AS CONTAINED IN THE INSTRUMENT RECORDED OCTOBER 16, 2002 AS DOCUMENT NO.

0021135112.

30434827

S 15. TERMS, PROVISIONS AND CONDITIONS RELATING TO THE EASEMENTS DESCRIBED AS PARCELS 5 AND 6, CONTAINED IN THE INSTRUMENTS CREATING SAID EASEMENTS.

UNOFFICIAL COPY

X 7. LEASE MADE BY JBC FUND 111 WACKER, L.L.C., A DELAWARE LIMITED LIABILITY COMPANY TO DELOITTE & TOUCHE (USA), LLP, A DELAWARE REGISTERED LIMITED LIABILITY PARTNERSHIP DATED OCTOBER 15, 2002, A MEMORANDUM OF WHICH WAS RECORDED OCTOBER 16, 2002 AS DOCUMENT NO. 0021135112, DEMISING PORTIONS OF THE LAND FOR A TERM OF YEARS BEGINNING THE LATER OF JULY 1, 2005 OR THE DATE WHICH IS 90 DAYS AFTER THE DATE THAT LANDLORD DELIVERS PREMISES TO TENANT IN THE CONDITION REQUIRED UNDER LEASE AND ENDING DECEMBER 31, 2020 OR, IF COMMENCEMENT DATE IS NOT JULY 1, 2005, THE LAST DATE OF THE 186TH FULL CALENDAR MONTH FOLLOWING SUCH COMMENCEMENT DATE, AND ALL RIGHTS THEREUNDER OF, AND ALL ACTS DONE OR SUFFERED THEREUNDER BY, SAID LESSEE OR BY ANY PARTY CLAIMING BY, THROUGH, OR UNDER SAID LESSEE.

Property of Cook County Clerk's Office

30434827