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Doc#: 0329432021
Eugene "Gene" Moore Fee: \$36.00
Cook County Recorder of Deeds
Date: 10/21/2003 10:08 AM Pg: 1 of 7

THIS DOCUMENT PREPARED
BY:
Marsha D. Rubin, Esq.
Piper Rudnick
203 North LaSalle Street
Chicago, Illinois 60601

AFTER RECORDING RETURN
TO:
Scott Wilton
Inland Real Estate Group
2901 Butterfield Road
Oak Brook, Illinois 60523

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8/68/174 DEED 1 OF 5

SPECIAL WARRANTY DEED
(STATE OF ILLINOIS)

THIS INDENTURE, made as of October, 2003, between ARCHSTONE-SMITH OPERATING TRUST, formerly known as Archstone Communities Trust, a Maryland real estate investment trust ("Grantor"), whose address is Six Piedmont Center, Atlanta, Georgia 30305 and FOXFIRE VENTURE CORPORATION, an Illinois corporation, c/o Midwest Real Estate Equities, Inc., ("Grantee"), whose address is 2901 Butterfield Road, Oak Brook, Illinois 60523, WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10) and other good and valuable consideration, in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, by these presents does GRANT AND CONVEY unto Grantee, with limited warranty FOREVER, the premises more particularly described on Exhibit A attached hereto and made a part hereof (the "Property").

SUBJECT TO those permitted exceptions listed on Exhibit B attached hereto and made a part hereof (the "Permitted Exceptions").

TOGETHER WITH all and singular hereditaments and appurtenances belonging thereto, or in anyway 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 Grantor, either at law or in equity, of, in and to the Property, with the hereditaments and appurtenances.

TOGETHER WITH all buildings and improvements thereon;

TO HAVE AND TO HOLD the Property, with the appurtenances, unto Grantee, forever.

AND GRANTOR WILL WARRANT and defend the said Property against all persons claiming, or to claim the same, by through or under Grantor against any matter arising during Grantor's ownership of the Property, subject only to the Permitted Exceptions.

BOX 222 CT

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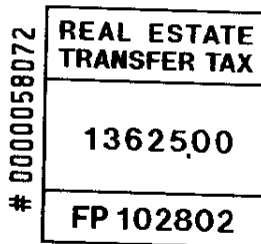
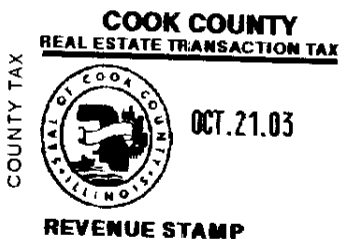
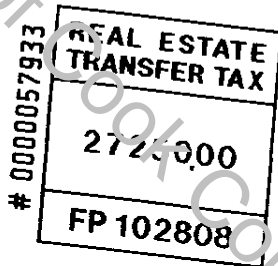
IN WITNESS WHEREOF, Grantor has caused these presents to be executed as of the day and year first above written.

ARCHSTONE-SMITH OPERATING TRUST, a
Maryland real estate investment trust

By: Candice J. Carpenter

Name: CANDICE J. CARPENTER

Title: VICE PRESIDENT



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STATE OF GEORGIA)

COUNTY OF FULTON)

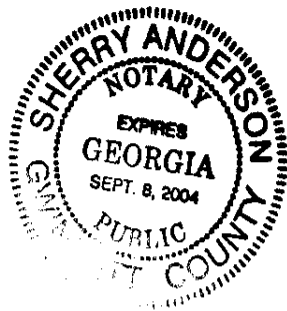
I, the undersigned, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that Candice T. Carpenter, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed, sealed, and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of Archstone-Smith Operating Trust, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 29th day of September, 2003.

Notary Public

Sherry Anderson

My Commission Expires:



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EXHIBIT A

LEGAL DESCRIPTION

A PART OF THE EAST ½ OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE CENTER LINE OF RAND ROAD, WHICH IS 901.10 FEET SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE, WITH THE CENTER LINE OF HICKS ROAD; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE CENTER LINE OF RAND ROAD AND SAID CENTER LINE EXTENDED, A DISTANCE OF 50.04 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF RAND ROAD, BEING THE POINT OF BEGINNING; THENCE SOUTHEAST, ALONG THE SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF RAND ROAD, BEING A CURVE, CONVEX TO THE NORTHEAST AND HAVING A RADIUS OF 10,743.00 FEET, 50.04 FEET DISTANT FROM THE CENTER LINE THEREOF, AN ARC DISTANCE OF 254.17 FEET, HAVING A CHORD BEARING OF SOUTH 43 DEGREES 6 MINUTES 29 SECONDS EAST (ASSUMED BEARING) AND A CHORD LENGTH OF 254.16 FEET; THENCE SOUTH 47 DEGREES 34 MINUTES 10 SECONDS WEST, A DISTANCE OF 10.00 FEET; THENCE SOUTHEASTERLY, ALONG A CURVE CONVEX TO THE NORTHEAST, HAVING A RADIUS OF 10,733.00 FEET, AN ARC DISTANCE OF 110.00 FEET, HAVING A CHORD BEARING OF SOUTH 42 DEGREES 34 MINUTES 10 SECONDS WEST AND A CHORD LENGTH OF 110 FEET; THENCE NORTH 48 DEGREES 9 MINUTES 25 SECONDS EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTHEASTERLY, ALONG A CURVE CONVEX TO THE NORTHEAST, HAVING A RADIUS OF 10,743 FEET, AN ARC DISTANCE OF 99.00 FEET HAVING A CHORD BEARING OF SOUTH 41 DEGREES 34 MINUTES 36 SECONDS EAST, AND A CHORD LENGTH OF 99.90 FEET; THENCE SOUTH 49 DEGREES 14 MINUTES 23 SECONDS WEST, A DISTANCE OF 927.74 FEET; THENCE NORTH 81 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 562.66 FEET, TO THE EASTERLY RIGHT-OF-WAY LINE OF HICKS ROAD, BEING 1306.03 FEET SOUTHERLY, AS MEASURED ALONG THE EASTERLY RIGHT-OF-WAY LINE OF HICKS ROAD, FROM THE MOST WESTERLY CORNER OF SAID LOT 1 IN HASTEROCK PARK; THENCE NORTHERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF HICKS ROAD, BEING A CURVED LINE, 50.00 FEET EASTERLY MEASURED RADIALLY, OF THE CENTER LINE OF SAID HICKS ROAD, CONVEX TO THE NORTHWEST, HAVING A RADIUS OF 2814.93, AN ARC DISTANCE OF 576.23 FEET, HAVING A CHORD BEARING OF NORTH 4 DEGREES 53 MINUTES 50 SECONDS EAST, AND A CHORD LENGTH OF 573.21 FEET; THENCE SOUTH 87 DEGREES 45 MINUTES 21 SECONDS EAST, A DISTANCE OF 296.28 FEET; THENCE NORTH 46 DEGREES 3 MINUTES 14 SECONDS EAST, A DISTANCE OF 250.00 FEET; THENCE SOUTH 43 DEGREES 56 MINUTES 45 SECONDS EAST; A DISTANCE OF 200.00 FEET; THENCE NORTH 46 DEGREES 3 MINUTES 15 SECONDS EAST, A DISTANCE OF 390.00 FEET; TO THE POINT OF BEGINNING, CONTAINING 687,679 SQUARE FEET OR 15.787 ACRES, MORE OR LESS.

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LESS AND EXCEPT THAT PORTION CONVEYED TO KATHY JORDAN BY DEED FROM CHICAGO FOXFIRE APARTMENTS LIMITED PARTNERSHIP, AN ILLINOIS LIMITED PARTNERSHIP, DATED AUGUST 8, 1994 AND RECORDED OCTOBER 14, 1994 AS DOCUMENT NUMBER 94882063.

NOTE: ABOVE TRACT OF LAND IS ALSO COMMONLY KNOWN AS LOTS 1 THROUGH 13, INCLUSIVE, AND OUTLOT "A" IN HAMPTON PLACE PLAT OF PLANNED UNIT DEVELOPMENT IN THE EAST ½ OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10 EAST, OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Common Street Address: 2050 North Rand Road, Palatine, Illinois

P.I.N.: 02-02-204-010-0000
02-02-400-080-0000

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EXHIBIT B

PERMITTED EXCEPTIONS

1. TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS.
2. TAXES FOR THE YEARS 2002 AND 2003 WHICH ARE NOT YET DUE AND PAYABLE.
3. RIGHTS OF TENANTS UNDER RESIDENTIAL APARTMENT LEASES, AS TENANTS ONLY, WITH NO RIGHTS OR OPTIONS TO PURCHASE AND ALL RIGHTS THEREUNDER OF THE TENANTS AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE TENANTS.
4. GRANT OF THE RIGHT TO LAY, OPERATE AND MAINTAIN AN 18-INCH GAS MAIN AND NECESSARY APPURTENANCES IN, UPON, UNDER AND ALONG THE SOUTHWEST SIDE OF A PUBLIC HIGHWAY KNOWN AS RAND ROAD WHICH EXTENDS ALONG THE NORTHEAST SIDE OF OR THROUGH THE LAND AS CREATED BY GRANT FROM HATTIE HASTEROCK TO THE PUBLIC SERVICE COMPANY OF NORTHERN ILLINOIS RECORDED JULY 24, 1946 AS DOCUMENT 13853184.
5. EASEMENTS AS CONTAINED IN HAMPTON PLACE PLANNED UNIT DEVELOPMENT RECORDED AS DOCUMENT 86395555 FOR SERVICING THE PLANNED UNIT DEVELOPMENT SHOWN THEREIN AND OTHER PROPERTY WITH ELECTRIC, COMMUNICATIONS, SEWER, WATER, GAS AND DRAINAGE SERVICE RESERVED FOR AND GRANTED TO THE VILLAGE OF PALATINE, THE COMMONWEALTH EDISON COMPANY, THE ILLINOIS BELL TELEPHONE COMPANY, AND NORTHERN ILLINOIS GAS COMPANY, THEIR SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, TO INSTALL, OPERATE, MAINTAIN AND REMOVE, FROM TIME TO TIME, FACILITIES USED IN CONNECTION WITH TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, SOUNDS AND SIGNALS, GAS MAINS, SEWER AND WATER MAINS AND DRAINAGE IN, OVER, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN HEREON AS OUT LOT "A" AND MARKED "EASEMENT", AND THE PROPERTY DESIGNATED ON THE PLAT FOR COMMON AREA AND STREETS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS OVER AND UNDER THE SURFACE OF EACH LOT AND COMMON AREAS TO SERVE IMPROVEMENTS THEREON, OR ON ADJACENT PROPERTIES, THE RIGHT TO CUT, TRIM OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE PROPERTY SHOWN THEREIN FOR ALL SUCH PURPOSES. OBSTRUCTIONS SHALL NOT BE PLACED OVER

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GRANTEES' FACILITIES OR IN, UPON OR OVER THE PROPERTY WITH THE AREAS MARKED "EASEMENT" WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEES. AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

THIS IS A NON-EXCLUSIVE EASEMENT. GRANTOR, ITS SUCCESSORS AND ASSIGNS, SHALL HAVE THE PERPETUAL RIGHT AND AUTHORITY TO CONSTRUCT, INSTALL AND MAINTAIN LANDSCAPING, ACCESS ROADS, DRAINAGE PIPES AND RELATED APURTENANCES OVER, UPON AND THROUGH THE EASEMENT THEREIN GRANTED. GRANTOR, ITS SUCCESSORS AND ASSIGNS SHALL HAVE THE PERPETUAL RIGHT AND AUTHORITY TO GRANT ADDITIONAL PUBLIC AND PRIVATE BENEFIT UTILITY OR ACCESS EASEMENTS OVER, UPON AND THROUGH THE EASEMENT THEREIN GRANTED TOGETHER WITH THE RIGHT AND AUTHORITY TO CONSTRUCT, INSTALL, REPAIR AND MAINTAIN OTHER PUBLIC AND PRIVATE BENEFIT UTILITY SERVICES.

6. NOTICE OF REQUIREMENTS FOR STORM WATER RETENTION RECORDED AS DOCUMENT NO. 24702890.