

**SPECIAL
WARRANTY
DEED**



Doc#: 0334526285
Eugene "Gene" Moore Fee: \$30.00
Cook County Recorder of Deeds
Date: 12/11/2003 03:48 PM Pg: 1 of 4

4c

THIS INDENTURE, made this 4th day of December, 2003 between River Village Townhomes, LLC, a limited liability company created and existing under and by virtue of the laws of the State of Delaware and duly authorized to transact business in the State of Illinois, whose business address is c/o The Enterprise Companies, 10 W.

Oakdale, Chicago, Illinois 60657, party of the first part, and Matthew S. Rogatz, as Trustee of the Matthew S. Rogatz Trust Dated May 6, 2003, who resides at 238 W. Scott Street, Chicago, Illinois 60610, party of the second part, WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and No/100 - - - (\$10.00) - - - Dollars and other good and valuable consideration, in hand paid, and pursuant to authority given by the Managers of said limited liability company, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part, and to his heirs and assigns FOREVER, all the following described land, situated in the County of Cook and State of Illinois known and described as follows, to-wit:

See Exhibit A attached hereto and made a part hereof.

Subject to: See Exhibit B attached hereto and made a part hereof.

Together with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and 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 in 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, its heirs and assigns forever.

Party of the first part also hereby grants to the party of the second part, its successors and assigns, as rights and easements appurtenant to the above-described real estate, the rights and easements for the benefit of said property set forth in the Declaration of Easements, Restrictions, and Covenants for River Village Townhomes Homeowner Association, aforesaid, and party of the first part reserves to itself, its successors and assigns, the rights and easements set forth in said Declaration for the benefit of the remaining property described therein.

This deed is subject to all rights, easements, covenants, conditions, restrictions and reservations contained in said Declaration the same as though the provisions of said Declaration were recited and stipulated at length herein.

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, its heirs and assigns, 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 the said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, it WILL WARRANT AND FOREVER DEFEND.

After Recording Return to:

Peter N. Weil
175 Olde Half Day Road, # 134
Lincolnshire, Illinois 60069

Near North National Title Corp
222 North LaSalle Street
Chicago, Illinois 60601

1082
NNT
01033984 ALK


UNOFFICIAL COPY

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

River Village Townhomes, LLC, a Delaware limited liability company

By: EDC River Village Townhomes, LLC
a Delaware limited liability company, a Manager

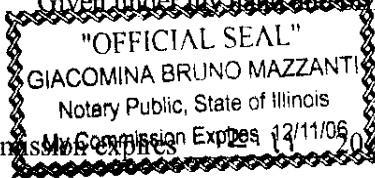
By: EDC Management, Inc.,
an Illinois corporation, its Manager

By: 
Name: Ronald B. Shipka, Jr.
Title: President

State of ILLINOIS)
)ss.
County of COOK)

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that Ronald B. Shipka Jr., personally known to me to be the President of EDC Management, Inc., an Illinois corporation, the Manager of EDC River Village Townhomes, LLC, a Delaware limited liability company, the Manager of River Village Townhomes, LLC, a Delaware limited liability company, and 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 as such President, he signed and delivered the said instrument, as his free and voluntary act, and as the free and voluntary act of said corporation for the uses and purposes therein set forth.

Given under my hand and official seal, this 4th day of December, 2003.




NOTARY PUBLIC

This instrument was prepared by: Mary B. Koberstein, Esq.
Centrum Properties, Inc.
225 West Hubbard, 4th Floor
Chicago, IL 60610

Send Subsequent Tax Bills To:

Matt Rogatz
1143 N. Frontier
Chicago IL 60610

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Exhibit A

Legal Description

PARCEL 1: (To be known as Lot 35 in River Village Subdivision)


That part of Lot 1 in Owners Resubdivision of Block 92 in Elston's Addition to Chicago in Section 4, Township 39 North, Range 14, East of the Third Principal Meridian, described as follows: Commencing at the Southeast corner of said Lot 1; thence North 30 Degrees, 09 Minutes, 47 Seconds West, along the Northeasterly line of said Lot 1, being the Southwesterly line of North Crosby Street, 215.79 feet; thence South 59 Degrees, 57 Minutes, 25 Seconds West, 86.07 feet; thence South 30 Degrees, 02 Minutes, 35 Seconds East, 63.23 feet to the point of beginning; thence continuing South 30 Degrees, 02 Minutes, 35 Seconds East, 17.09 feet; thence South 59 Degrees, 57 Minutes, 25 Seconds West, 49.50 feet; thence North 30 Degrees, 02 Minutes, 35 Seconds West, 17.09 feet; thence North 59 Degrees, 57 Minutes, 25 Seconds East, 14.11 feet to the point of beginning, in Cook County, Illinois.

PARCEL 2:

Non-exclusive easements for use, enjoyment, ingress and egress for the benefit of Parcel 1 aforesaid, as created by the Declaration of Easements, Restrictions and Covenants for River Village Townhomes Homeowners Association dated August 15, 2003 and recorded August 19, 2003 as Document No. 0323139068.

STATE TAX

STATE OF ILLINOIS



DEC. -5.03

REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE

0000006883


REAL ESTATE TRANSFER TAX
0044000
FP326703

Address of Property: 1021 N. Kingsbury Street, Chicago, Illinois 60610

Permanent Index Numbers: 17-04-300-004-0000, 17-04-300-005-0000, 17-04-300-006-0000, 17-04-300-021-0000, 17-04-316-005-0000, 17-04-316-007-0000, 17-04-316-008-0000 and 17-04-316-009-0000.

CITY TAX

CITY OF CHICAGO



DEC. -5.03

REAL ESTATE TRANSACTION TAX
DEPARTMENT OF REVENUE


0000006491

REAL ESTATE TRANSFER TAX
0330000
FP326675

COUNTY TAX

COOK COUNTY

REAL ESTATE TRANSACTION TAX



DEC. -5.03

REVENUE STAMP

0000004746

REAL ESTATE TRANSFER TAX
0022000
FP326657

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Exhibit B Permitted Exceptions

1. General Real Estate Taxes not yet due and payable;
2. Special taxes or assessments for improvements not yet completed and other assessments or installments thereof not due and payable;
3. Rights of City of Chicago to maintain facilities located on the land as disclosed by maps from the City of Chicago Water and Sewer Department dated October 17, 1967;
4. Easement Agreement made by and between MW-CPAG Holdings, LLC and River Village Townhomes, LLC recorded July 19, 2002 as Document 0020790567, as amended by First Amendment thereto dated July 2, 2003 and recorded July 3, 2003 as Document 0218407009, granting a perpetual non-exclusive easement over, across or under townhomes Parcel common areas for the provisions of electric, water, gas and other utilities to serve the Marina Parcel; for maintenance, use and operation of and to serve any of the Marina improvements; ingress and egress to and from the Marina Parcel through the Townhomes Parcel common areas; temporary easement over Townhomes Parcel common areas to permit the construction of the Marina improvements constructed by MW-CPAG Holdings, LLC on the Marina Parcel; maintenance of the sea wall; and the terms, provisions, conditions and limitations as set forth therein;
5. Easements as created by Easement Agreement made by and between MW-CPAG Holdings, LLC and River Village Townhomes, LLC recorded July 19, 2002 as Document 0020790568 as follows:
 - A. A perpetual non-exclusive easement over, across or under Phase I common areas, more particularly described on Exhibit "A" attached thereto, for the provision of electric, water, gas and other utilities to serve the Phase I Parcel more particularly described on Exhibit "B" attached thereto; and for the maintenance use and operation of and to serve any improvements constructed on the Phase 2 Parcel; and ingress and egress to and from Phase 2 Parcel thorough the Phase I common areas; and
 - B. Temporary easement over the Phase I common areas as is necessary to permit construction of any improvements on the Phase 2 Parcel;
 And the terms, conditions and provisions as set forth therein.
6. Covenants and Restrictions (but omitting any such Covenant or Restriction based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that said covenant (A) is exempt under Chapter 42, Section 3607 of The United States Code or (B) relates to handicap but does not discriminate against handicapped persons), relating to use, density, open space restrictions; zoning control; covenant of cooperation; covenant to complete relationship to amend planned unit development; and building materials contained in the Declaration of Covenants, Conditions and Restrictions entered into by MW-CPAG Holdings, LLC and River Village Townhomes, LLC dated as of June 28, 2002 and recorded July 19, 2002 as Document 0020790565, and amended by First Amendment thereto dated July 2, 2003 and recorded July 3, 2003 as Document 0318407008, which does not contain a reversionary or forfeiture clause;
7. Temporary Easement and Completion Agreement recorded July 19, 2002 as Document 0020790564 made by and between MW-CPAG Holdings, LLC and River Village Townhomes, LLC, on, over and across the land for ingress and egress; performance of the excavation and grading work; the temporary storage of materials; and any other activities in connection with the performance of the excavation and grading work, and the terms and conditions as set forth therein.
8. Terms, provisions, conditions and limitations set forth in a tax Parcel division and reparation agreement recorded July 19, 2002 as Document 0020790566 made by and between MW-CPAG Holdings, LLC and River Village Townhomes, LLC;
9. Covenants, conditions and restrictions set forth in Covenant dated January 16, 2003 and recorded January 16, 2003 as Document 0030080068 by River Village Townhomes, LLC and MW-CPAG Holdings, LLC, made to induce the City of Chicago to furnish sewer and water service;
10. Rights of adjoining owner or owners to the concurrent use of the easements set forth therein; and
11. Terms, provisions and conditions relating to the easement described as Parcel 2 contained in the instrument creating such easement.