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Eugene "Gene" Moore Fee: \$36.00
Cook County Recorder of Deeds
Date: 06/21/2005 01:21 PM Pg: 1 of 7

THIS DOCUMENT WAS PREPARED BY:
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Property Address: 1113 Brent Road, Northbrook, IL 60062
Permanent Index Number: 04-23-107-004-4035

**PARTIAL ASSIGNMENT
AND ASSUMPTION OF GROUNDLEASE
AND SPECIAL WARRANTY DEED**

P.N.T.N.

THIS PARTIAL ASSIGNMENT AND ASSUMPTION OF GROUND LEASE AND SPECIAL WARRANTY DEED (this "Assignment") is made as of _____, by and between **MICHAEL R. BATTAGLIA AND MARA D. BATTAGLIA, HUSBAND AND WIFE**, whose address is 1000 Angle Avenue, Northbrook, IL 60062, ("Assignor/Grantor"), and **SILVIA ORIZABA, A Single Woman**, whose address is 4200 W. Lake Avenue, Apt. 101A, Glenview, IL 60062 (:Assignee/Grantee").

Assignor/Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration in hand paid by Assignee/Grantee, the receipt of which is hereby acknowledged, by these presents does hereby **release and waive all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois** and does hereby **REMISE, RELEASE, ALIEN, CONVEY AND ASSIGN**, unto Assignee/Grantee as **SILVIA ORIZABA, INDIVIDUALLY**.

THIS IS NOT HOMESTEAD PROPERTY

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That certain Condominium **Unit No. 23-A2**, situated in the County of Cook, State of Illinois, known and described on Exhibit A attached hereto and made a part hereof (the "Unit"), together with:

- (i) it undivided interest in and to all Common Elements, including an undivided interest in and to the Leasehold Estate created under that certain Ground Lease for Real Estate Parcels SE-1A-1 and SE-1B-1 dated December 27, 2000 by and between Cole Taylor Bank, as Trustee under Trust Agreement dated November 1, 2000 and known as Trust No. 99-8163, as Lessor, and KZF Venture Group, LLC, an Illinois limited liability company, as Lessee, recorded by the Office of the Recorder of Deeds of Cook County, Illinois (the "Recorder") on December 29, 2000 as Document 00-01022135, including all exhibits thereto (the "Ground Lease") (and together with the exclusive right to use and enjoy the Limited Common Elements appurtenant to the Unit) allocable to the Unit pursuant to and in accordance with the provisions of the Declaration of Condominium Ownership and of Covenants, Conditions, Easements and Right for Northbrook Greens Condominiums recorded by the Recorder on December 28, 2001 as Document 0011237707, as the same may have been amended from time to time (as so amended, the "Declaration"); and
- (ii) all and singular hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion or reversions, remainder or remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever of Assignor/Grantor, either in law or equity of, in and to the Unit, with the hereditaments and appurtenances;

(collectively, the "Property"), **TO HAVE AND TO HOLD** the Unit, with such appurtenances, unto Assignee/Grantee.

Assignor/Grantor, for itself and its successors, does covenant, promise and agree to and with Assignee/Grantee and their successors, that it has not done or suffered to be done anything whereby the Unit is, or may be, in any manner encumbered or charged, except as recited in this Assignment and that it will **WARRANT AND DEFEND** the Unit against all persons lawfully claiming or to claim the same, by, through, or under it, subject only to the matters set forth on Exhibit A attached hereto and made a part hereof.

The conveyance of the Unit is not (and shall not be deemed to be) a conveyance of fee simple title to any of the Property other than the Unit.

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.

Assignee/Grantee, by acceptance and execution of this Assignment, hereby expressly agree to assume all rights and obligations of the Lessee pursuant to the terms of the Ground Lease, with respect to the Unit being conveyed and assigned by this agreement to

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Assignee/Grantee (including the obligation to pay in accordance with the Ground Lease, all Ground Rent, Taxes and other amounts due to Lessor under the Ground Lease and to perform all of the terms, covenants, conditions, agreements and obligations of Lessee to be performed or fulfilled under the Ground Lease with respect to the Common Elements in common with all of the other Unit Owners). The terms "Lessor", "Lessee", "Ground Rent", and "Unit Owners" as used in this paragraph shall have the respective meanings ascribed to such terms in the Ground Lease. Assignee/Grantee further agrees that the interests conveyed and assigned by this Assignment as the property are not and shall not be separately transferable, and any attempted conveyance or assignment of one or more (but less than all) of such interest comprising the Property shall be deemed to be a conveyance and assignment of all interest comprising the Property.

IN WITNESS WHEREOF, Assignor/Grantor has caused this Assignment to be executed as of the date and year first above written.

ASSIGNOR/GRANTOR:

Michael R. Battaglia
MICHAEL R. BATTAGLIA

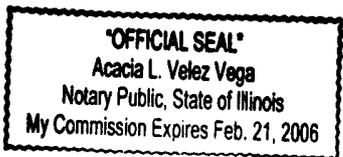
Mara D. Battaglia
MARA D. BATTAGLIA

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County in the State aforesaid, DO HEREBY CERTIFY that MICHAEL R. BATTAGLIA AND MARA D. BATTAGLIA, husband and wife, who is/are personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument appeared before me this day in person and acknowledged that he/she/they signed and delivered the said instrument as his/her/their own free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 20 day of May, 2005.

Acacia L. Velez Vega
Notary Public



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EXHIBIT A LEGAL DESCRIPTION

- (A) The Leasehold Estate (said Leasehold Estate being defined in Paragraph 1(H) of the conditions and stipulations of the Policy), created by the instrument herein referred to as the Lease, executed by: Cole Taylor Bank, as Trustee Under Trust Agreement Dated November 1, 2000 and known as Trust Number 99-8163, as Lessor, and KZF Venture Group, LLC, as Lessee, dated December 27, 2000, which lease was recorded December 29, 2000 as Document 0001022135, for a term of years beginning December 27, 2000 and ending December 31, 2150, which lease was assigned by KZF Venture Group, LLC, an Illinois Limited Liability Company, Assignee, to **SILVIA ORIZABA**, A Single Woman, by Partial Assignment and Assumption of Ground Lease and Special Warranty Deed recorded as Document _____ which lease demises the land described below (except the buildings and improvements located on the land); and
- (B) Ownership of the buildings and improvements located on the land described herein;

The Land

Unit Number 23-A2 in the Northbrook Greens Condominium, as delineated on a survey of the following described tract of land;

Part of Lots SE-IA and SE1B in Techny Parcel SE-1 Subdivisions, according to the final Plat of Subdivision of Techny Parcel SE-1 recorded on December 22, 2000 as Document Number 01007540. Which survey is attached as Exhibit "B" to the Declaration of condominium recorded as Document Number 0011237707 as amended from time to time; together with its undivided percentage interest in the common elements in Cook County, Illinois.

Subject to:

- a. general real estate taxes not yet due and payable;
- b. the Ground Lease, the Declaration and the Articles of Incorporation and By-Laws of the Association, including all amendments and exhibits;
- c. applicable zoning and building laws and ordinances and other ordinances of record
- d. encroachments, if any;
- e. acts done or suffered by Assignee/Grantee or anyone claiming by/through or under Assignee/Grantee;
- f. utility easements, if any, whether recorded or unrecorded;
- g. covenants, conditions, restrictions, easements, declarations and agreements of record including, without limitation, those set forth on the Plat and any subdivision and development agreement with the Village of Northbrook;
- h. leases and licenses affecting the Common Elements;

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- i. the Illinois Condominium Property Act;
- j. special taxes and assessments for improvements not yet completed;

Property of Cook County Clerk's Office

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ACCEPTANCE AND ASSUMPTION BY ASSIGNEE/GRANTEE

The undersigned, Assignee/Grantee, hereby accepts the conveyance of the Unit from Assignor/Grantor and join in the execution of this Assignment for the purpose of agreeing to assume those rights and obligations of the Lessee pursuant to the terms of the Ground Lease as described in this Assignment and to agree to the other terms and provisions of this Agreement.

ASSIGNEE/GRANTEE:



SILVIA ORIZABA

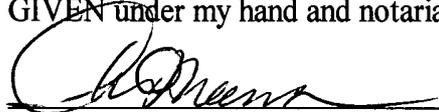
Send Subsequent tax bill to:

SILVIA ORIZABA
1113 BRENT ROAD
NORTHBROOK, IL 60062

STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for the County in the State aforesaid, DO HEREBY CERTIFY that **SILVIA ORIZABA**, who is/are personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument appeared before me this day in person and acknowledged that he/she/they signed and delivered the said instrument as his/her/their own free and voluntary act for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 25 day of May, 2005.



Notary Public

G. JOHN MARMET
NOTARY PUBLIC OF ILLINOIS
My Commission Expires 7/8/2007

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SUBJECT TO:

GENERAL REAL ESTATE TAXES NOT DUE AND PAYABLE AT THE TIME OF CLOSING, COVENANTS, CONDITIONS, AND RESTRICTIONS OF RECORD, BUILDING LINES AND EASEMENTS, IF ANY, SO LONG AS THEY DO NOT INTERFERE WITH THE CURRENT USE AND ENJOYMENT OF THE PROPERTY.

UNIT NUMBER 23-A2 IN NORTHBROOK GREENS CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND: PART OF LOTS SE-1A AND SE-1B SUBDIVISION, ACCORDING TO THE FINAL PLAT OF SUBDIVISION OF TECHNY PARCEL SE-1 RECORDED ON DECEMBER 22, 2000 AS DOCUMENT NUMBER 01007540, WHICH SURVEY IS ATTACHED AS EXHIBIT "B" TO THE DECLARATION OF CONDOMINIUM RECORDED AS DOCUMENT NUMBER 011237707 AS AMENDED FROM TIME TO TIME; TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN COOK COUNTY, ILLINOIS.

PIN: 04-23-107-004-4035

