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Doc#: 0518044129
Eugene "Gene" Moore Fee: \$34.50
Cook County Recorder of Deeds
Date: 08/29/2005 03:41 PM Pg: 1 of 6



After recording return to:

Schain Burney Ross + Citron
222 N La Salle St.
Suite 1910
Chicago IL 60601
Attn: Gary Plotnick

(space above for recording information)

SPECIAL WARRANTY DEED

ACACIA CREDIT FUND 9-A L.L.C., a Delaware limited liability company ("Grantor"), for and in consideration of Ten and 00/100 DOLLARS (\$10.00), and other good and valuable consideration in hand paid, by these presents does GRANT, REMISE, RELEASE, ALIEN and CONVEY in fee simple to TOLL IL WSB, L.P., an Illinois limited partnership ("Grantee") FOREVER that certain real estate situated in the County of Cook, State of Illinois and legally described on Exhibit "A" attached hereto and made a part hereof (the "Property");

TOGETHER WITH all improvements, easements, rights, liberties, privileges, hereditaments, remainders, rents, issues, profits and royalties therefrom in anywise belonging to Grantor;

SUBJECT TO: All general and special real property taxes and other assessments (including all subsequent assessments for prior years due to changes in the use or ownership, or both), reservations in patents, water rights, claims or titles to water and all easements, rights of way, encumbrances, liens, covenants, conditions, restrictions, obligations and liabilities as may appear of record, all documents establishing or relating to the master-planned community of which the Property is a portion, any matter shown on the plat of the Property, any matter arising in connection with any action of Grantee or its employees, contractors, agents, or representatives, any other matter not caused by the act or authorization of Grantor, and any matter that would be disclosed by an inspection or accurate ALTA/ACSM survey of the Property.

Grantor covenants to and with Grantee and its successors in title that it WILL WARRANT AND DEFEND the Property against all persons lawfully claiming by,

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STATE OF ARIZONA)
) ss.
County of Maricopa)

On June 21, 2005, before me, Teresa G. Hall, personally appeared Steven S. Benson, the Exec. Vice President of Acacia Capital Corporation, a California corporation, the Managing Member of Fund 9-A Management Company L.L.C., a Delaware limited liability company, the Managing Member of ACACIA CREDIT FUND 9-A L.L.C., a Delaware limited liability company, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Teresa G. Hall
(Seal)
Notary Public

Prepared by:

Gary Plotnick
Scholar Burney Pass, Cibola
222 N. W. Sally St. Ste 1910
Chicagoland 60601

Send subsequent tax bills to:

Toll JL WSB, L.P.
250 Gibraltar Road
Horsesham PA 19044

Property Book County Clerk's Office

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through or under it, against all of the acts of Grantor and no others, and subject to the matters set forth herein.

EXECUTED this 21st day of June, 2005.

ACACIA CREDIT FUND 9-A L.L.C.,
a Delaware limited liability company

By: Fund 9-A Management Company L.L.C.,
a Delaware limited liability company
its Managing Member

By: Acacia Capital Corporation,
a California corporation,
its Managing Member

By: Sten S. Sun

Its: EXECUTIVE VICE PRESIDENT

Exempt under Real Estate Transfer Tax Act Sec. 4
Par. E & Cook County Ord. 95184 Par. E

Date 6/21/05 Sign [Signature]
attorney in fact

Property of Cook County Clerk's Office

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Exhibit A

That part of the Southeast quarter of Section 28 and the Northeast quarter of Section 33, both in Township 42 North, Range 9 East of the Third Principal Meridian, described as follows:

Commencing at the Southeast corner of said Northeast quarter; thence North 00 degrees 04 minutes 45 seconds West along the East line of said Northeast quarter, 160.00 feet to a point on a line 160.00 feet North of and parallel with the South line of said Northeast quarter; thence North 89 degrees 58 minutes 22 seconds West along said parallel line, 762.78 feet; thence North 00 degrees 02 minutes 33 seconds West, 557.45 feet; thence North 65 degrees 47 minutes 33 seconds West, 381.45 feet; thence North 51 degrees 22 minutes 16 seconds West, 788.15 feet to a point on a non-tangent curve; thence Northerly along a curve concave Westerly and having a radius of 787.00 feet with an arc length of 269.11 feet and a chord bearing of North 11 degrees 22 minutes 09 seconds East to a point of reverse curvature; thence Northeasterly along a curve concave Southeasterly and having a radius of 450.00 feet with an arc length of 595.26 feet to a point of tangency; thence North 77 degrees 21 minutes 49 seconds East, 193.37 feet to a point of curvature; thence Easterly along a curve concave Northwesterly and having a radius of 342.00 feet with an arc length of 54.67 feet to a point on the West line of the East 16.35 chains of the Northeast quarter of Section 33, aforesaid; thence North 00 degrees 04 minutes 45 seconds West along said West line, 35.83 feet to a point on a non-tangent curve, said point being also the point of beginning; thence Southwesterly along a curve concave Northwesterly having a radius of 309.00 feet with an arc length of 32.65 feet and a chord bearing of North 71 degrees 33 minutes 17 seconds East to a point of tangency; thence South 77 degrees 21 minutes 49 seconds West, 113.01 feet; thence North 12 degrees 38 minutes 11 seconds West, 55.29 feet to a point of curvature; thence Northwesterly along a curve concave Southwesterly having a radius of 235.00 feet with an arc length of 294.78 feet to a point of non-tangency; thence North 00 degrees 11 minutes 05 seconds West, 242.71 feet; thence South 89 degrees 40 minutes 35 seconds West, 71.00 feet; thence North 00 degrees 11 minutes 05 seconds West, 980.65 feet; thence 89 degrees 48 minutes 55 seconds East, 140.67 feet; thence North 85 degrees 37 minutes 17 seconds East, 576.91 feet; thence South 00 degrees 15 minutes 20 seconds East, 828.32 feet; thence South 51 degrees 26 minutes 48 seconds West, 18.25 feet to a point of curvature; thence Southwesterly along a curve concave Southeasterly having a radius of 191.75 feet with an arc length of 147.49 feet to a point of compound curvature; thence Southerly along a curve concave Easterly having a radius of 475.00 feet with an arc length of 153.63 feet to a point of reverse curvature; thence Southwesterly along a curve concave Northwesterly having a radius of 309.00 feet with an arc length of 414.73 feet to the point of beginning, containing 910,235 square feet of land more or less, all in Cook County, Illinois.

01-28-401-001

01-28-402-001

01-33-200-009

01-33-200-017

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PLAT ACT AFFIDAVIT

STATE OF ILLINOIS

} SS

COUNTY OF COOK

Toll IL WSB, L.P., an Illinois limited partnership, being duly sworn on oath, states that its offices are located at Arlington Heights, Illinois. That the attached deed is not in violation of 765 ILCS 205/1 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 the land into parcels or tracts of five acres or more of size which does not involve any new streets or easements of access.
3. The division of lots or blocks of less than one 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 as right of way for railroads or other public utility facilities, which does not involve any new streets or easement 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 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 two parts and not involving any new streets or easements of access.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

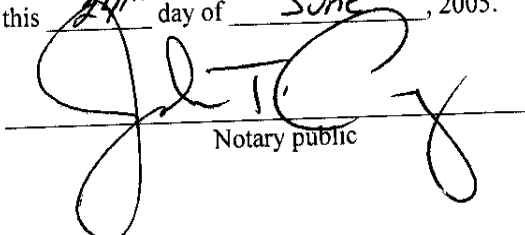
Affiant further states that it makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.

TOLL IL WSB, L.P., an Illinois limited partnership

By: Toll IL GP Corp., an Illinois corporation
Its: General Partner

By: 
 Name: Andrew Stern
 Title: Vice President

SUBSCRIBED AND SWORN to before me
this 24th day of June, 2005.


 Notary public



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STATEMENT BY GRANTOR AND GRANTEE

The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated: June 24, 2005

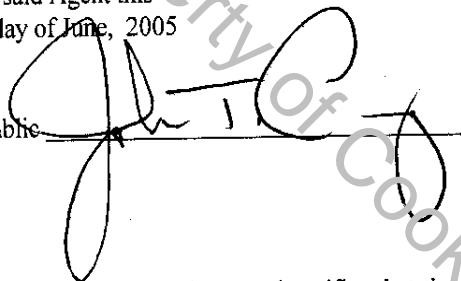
Signature:



Grantor or Agent

Subscribed and sworn to before me by the said Agent this 24th day of June, 2005

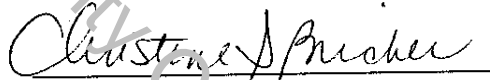
Notary Public



The grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated: June 24, 2005

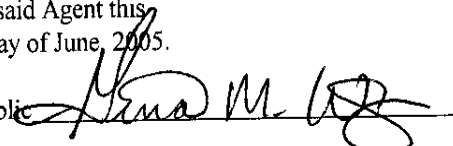
Signature:



Grantee or Agent

Subscribed and sworn to before me by the said Agent this 24 day of June, 2005.

Notary Public



NOTE: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

[Attach to deed or 451 to be recorded in Cook County, Illinois, if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.]