

NW 5766117

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Doc#: 0529035415 Fee: \$36.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 10/17/2005 10:58 AM Pg: 1 of 7

This space reserved

1/2

Property of Cook County Clerk's Office

PREPARED BY:

DANIEL E. FAJERSTEIN, ESQ.  
MATLIN & FAJERSTEIN  
500 SKOKIE BOULEVARD, SUITE 350  
NORTHBROOK, ILLINOIS 60062

STATE OF ILLINOIS



OCT.-6.05

REAL ESTATE TRANSFER TAX  
DEPARTMENT OF REVENUE

# 0000012841

REAL ESTATE  
TRANSFER TAX

0097000

FP 103032

AFTER RECORDING, RETURN TO:

CAROLYN GALLAGHER BROCKSMITH, ESQ.  
427 LAUREL AVENUE  
WILMETTE, ILLINOIS 60091

**PARTIAL ASSIGNMENT AND ASSUMPTION OF GROUND LEASE  
AND SPECIAL WARRANTY DEED**

This Partial Assignment and Assumption of Ground Lease and Special Warranty Deed (this "Agreement") is made as of this 30<sup>th</sup> day of September, 2005, by and between **MARIAN S. STRICKLAND**, an unmarried person, whose address is 2233 Wyndance Way, Northbrook, Illinois 60062 ("Assignor/Grantor"), and **KATHLEEN M. MOELLER**, Trustee of the Kathleen Mojo Moeller Trust dated January 4, 1992, whose address is 1185 Hill Road, Winnetka, Illinois 60093 (Assignee/Grantee").

Assignor/Grantor, for and in consideration of the sum of Ten and No/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 REMISE, RELEASE, ALIEN AND CONVEY, AND ASSIGN, unto Assignee/Grantee the Property, situated in the County of Cook and State of Illinois known and described as Exhibit "A" attached hereto and made a part hereof (collectively, the "Property").

7/2

**BOX 333-CP**

COOK COUNTY  
REAL ESTATE TRANSACTION TAX



OCT.-6.05

REVENUE STAMP

# 0000012928

REAL ESTATE  
TRANSFER TAX

0048500

FP 103034

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Together with the exclusive right to use and enjoy the Limited Common Area appurtenant to the Building Site and legally described on Exhibit "B" attached hereto and by this reference made a part hereof (the "Limited Common Area"), in accordance with the provisions of the Declaration. Together with all and singular hereditaments and appurtenances thereunto belonging, or in anywise 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 Assignor/Grantor, either in law or equity of, in and to the Property, with the hereditaments and appurtenances (but excluding fee simple title to the land):

**TO HAVE AND TO HOLD**, the Property, with the appurtenances, unto Assignee/Grantee.

And Assignor/Grantor, for itself and its successors, does covenant, promise and agree to and with Assignee/Grantee and its successors, that it has not done or suffered to be done, anything whereby the Property is, or may be, in any manner encumbered or charged, except as recited in this Agreement; and that it **WILL WARRANT AND DEFEND** the Property against all persons lawfully claiming or to claim the same, by, through or under it, subject only to:

General taxes for the years 2004, second installment, and 2005 and subsequent years; special taxes or assessments, if any, for improvements not yet completed; installments, if any, not due at the date hereof of any special tax or assessments for improvements heretofore completed; building lines and building and liquor restrictions of record; zoning and building laws and ordinances; private, public and utility easements; covenants and restrictions of record as to use and occupancy; party wall rights and agreements, if any; and acts done or suffered by or through the Purchaser.

Assignee/Grantee, by its acceptance and execution of this Agreement, hereby expressly agrees to assume (on a non-recourse basis) all rights and obligations of the Lessee pursuant to the terms of the Ground Lease, with respect to the Property being conveyed and assigned by this Agreement to Assignee/Grantee (including the obligation to pay in accordance with Section 3.1(e) of the Ground Lease, 1/151 of the Ground Rent 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 Property being conveyed and assigned by this Agreement to Assignee/Grantee and with respect to the Common Area in common with all of the other Unit Owners). The terms "Lessee", "Ground Rent", "Common Area" and "Unit Owners" used in this paragraph shall have the meanings set forth in the Ground Lease. Assignee/Grantee further agrees that the interests conveyed and assigned by this





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## LEGAL DESCRIPTION

### EXHIBIT "A"

#### PARCEL I:

AN UNDIVIDED 1/151 INTEREST IN (I) THAT CERTAIN GROUND LEASE DATED AS OF NOVEMBER 22, 1996, BY AND BETWEEN COLE TAYLOR BANK, AS SUCCESSOR-TRUSTEE TO HARRIS TRUST AND SAVINGS BANK UNDER TRUST AGREEMENT DATED APRIL 29, 1991 AND KNOWN AS TRUST NO. 94707, AS LESSOR ("LESSOR"), AND ASSIGNOR/GRANTOR, AS LESSEE, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS ON DECEMBER 9, 1996 AS DOCUMENT NO. 96927871, AS AMENDED BY THAT CERTAIN FIRST AMENDMENT TO GROUND LEASE DATED AS OF JANUARY 6, 1997 BY AND BETWEEN LESSOR AND ASSIGNOR/GRANTOR, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS ON FEBRUARY 28, 1997 AS DOCUMENT NO. 97141059, AS AMENDED BY THAT CERTAIN JOINDER TO GROUND LEASE DATED AS OF NOVEMBER 7, 1997 BY THE ROYAL RIDGE HOMEOWNERS ASSOCIATION, AN ILLINOIS NOT FOR PROFIT CORPORATION, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS ON NOVEMBER 12, 1997 AS DOCUMENT NO. 97846934, AND AS FURTHER AMENDED FROM TIME TO TIME (COLLECTIVELY, THE "GROUND LEASE"); AND (II) THE LEASEHOLD ESTATE IN THE PREMISES (THE "PREMISES") LEGALLY DESCRIBED AS:

LOT 1 IN ROYAL RIDGE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF NORTHBROOK, COOK COUNTY, ILLINOIS, PURSUANT TO THE PLAT THEREOF RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS ON NOVEMBER 3, 1997 AS DOCUMENT NO. 97818381.

COMMONLY KNOWN AS TECHNY PARCEL E-1 LOCATED ON THE EAST SIDE OF WAUKEGAN ROAD, SOUTH OF TECHNY ROAD, IN NORTHBROOK, ILLINOIS.

PERMANENT INDEX NUMBER: 04-14-301-134

EACH WITH RESPECT SOLELY TO THE BUILDING SITE IDENTIFIED AND LEGALLY DESCRIBED AS FOLLOWS:

BUILDING SITE 127

BEING THAT PART OF LOT 1 IN THE PLANNED UNIT DEVELOPMENT OF ROYAL RIDGE, BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 3, 1997 AS DOCUMENT NUMBER 97818381, DESCRIBED AS FOLLOWS: COMMENCING AT THE

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SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 398.72 FEET; THENCE NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 36.65 FEET TO THE EXTERIOR CORNER OF A CONCRETE FOUNDATION FOR A RESIDENCE (KNOWN AS 2233 ROYAL RIDGE DRIVE) FOR A PLACE OF BEGINNING; THENCE ALONG A LINE FOLLOWING THE NEXT THIRTEEN (13) COURSES AND DISTANCES COINCIDENT WITH THE EXTERIOR FOUNDATION WALL OF SAID RESIDENCE; 1) NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 8.04 FEET; 2) SOUTH 01 DEGREES 04 MINUTES 54 SECONDS WEST 4.00 FEET; 3) NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 2.00 FEET; 4) SOUTH 01 DEGREES 04 MINUTES 54 SECONDS WEST 10.92 FEET; 5) SOUTH 43 DEGREES 55 MINUTES 06 SECONDS WEST 7.54 FEET; 6) NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 2.37 FEET; 7) SOUTH 01 DEGREES 04 MINUTES 54 SECONDS WEST 11.33 FEET; 8) NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 55.50 FEET; 9) NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST 21.58 FEET; (10) SOUTH 88 DEGREES 55 MINUTES 06 SECONDS EAST 25.42 FEET; 11) NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST 20.17 FEET; 12) NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 5.00 FEET; 13) NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST 7.08 FEET TO THE CENTERLINE OF A PARTY WALL; THENCE SOUTH 88 DEGREES 55 MINUTES 06 SECONDS EAST ALONG THE CENTERLINE OF THE PARTY WALL 52.82 FEET; THENCE SOUTH 01 DEGREES 04 MINUTES 54 SECONDS WEST ALONG THE EXTERIOR FOUNDATION WALL OF SAID RESIDENCE 17.25 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS (THE "BUILDING SITE:") BUILDING SITE COMMONLY KNOWN AS 2233 WYNDANCE WAY, NORTHBROOK, ILLINOIS 60062.

## PARCEL II:

FEE SIMPLE TITLE IN AND TO THE BUILDING AND ALL IMPROVEMENTS (BUT EXCLUDING THE LAND) LOCATED ON THE BUILDING SITE LEGALLY DESCRIBED HEREIN (INCLUDING ANY PORTION OF SUCH BUILDING AND IMPROVEMENTS WHICH IS LOCATED ON PORTIONS OF THE COMMON AREA (AS DEFINED IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND RIGHTS FOR THE ROYAL RIDGE SUBDIVISION DATED AS OF NOVEMBER 3, 1997, AND RECORDED WITH THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS ON NOVEMBER 3, 1997 AS DOCUMENT NO. 97820006 (THE "DECLARATION")), WHICH IMPROVEMENTS CONSIST OF A DWELLING UNIT (AS DEFINED IN THE DECLARATION); SUBJECT TO THE TERMS AND PROVISIONS OF THE GROUND LEASE.

## PARCEL III:

EASEMENTS APPURTENANT TO PARCELS 1 AND 2 FOR THE BENEFIT OF SUCH PARCELS AS SET FORTH IN THE AFORESAID DECLARATION.



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## EXHIBIT "B"

### LIMITED COMMON AREA FOR BUILDING SITE 127

THAT PART OF LOT 1 IN THE PLANNED UNIT DEVELOPMENT OF ROYAL RIDGE, BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 3, 1997 AS DOCUMENT NUMBER 97818381, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 398.72 FEET; THENCE NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 36.65 FEET TO THE EXTERIOR CORNER OF A CONCRETE FOUNDATION FOR A RESIDENCE (KNOWN AS 2233 ROYAL RIDGE DRIVE) FOR A PLACE OF BEGINNING; THENCE SOUTH 01 DEGREES 04 MINUTES 54 SECONDS WEST 31.58 FEET; THENCE NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 17.74 FEET TO AN EXTERIOR CORNER OF SAID CONCRETE FOUNDATION; THENCE ALONG A LINE FOLLOWING THE NEXT SIX (6) COURSES AND DISTANCES COINCIDENT WITH THE EXTERIOR FOUNDATION WALL OF SAID RESIDENCE; 1) NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST 11.33 FEET; 2) SOUTH 88 DEGREES 55 MINUTES 06 SECONDS EAST 2.37 FEET; 3) NORTH 43 DEGREES 55 MINUTES 06 SECONDS EAST 7.54 FEET; 4) NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST 10.92 FEET; 5) SOUTH 88 DEGREES 55 MINUTES 06 SECONDS EAST 2.00 FEET; 6) NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST 4.00 FEET; THENCE SOUTH 88 DEGREES 55 MINUTES 06 SECONDS EAST 8.04 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.