

UNOFFICIAL COPY



Doc#: 0531233171 Fee: \$30.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 11/08/2005 11:32 AM Pg: 1 of 4

SPECIAL WARRANTY DEED

THIS INDENTURE, is executed and delivered as of October 21, 2005 between **MW-CPAG Tower Holdings, L.L.C.**, a Delaware 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 Angelo, Gordon & Co., L.P., 245 Park Avenue, 26th Floor, New York, NY 10167, party of the first part, and Barbara Weaver residing at 25 E. Superior #2905, Chicago, IL 60611, 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 Manager of said limited liability company, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part, and to their 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 hereditaments and appurtenances thereunto 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 Condominium, 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.

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Box 334

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Exhibit A – Legal Description

PARCEL 1:

UNIT 1706 AND PARKING SPACE(S) P-R49 IN THE MONTGOMERY ON SUPERIOR CONDOMINIUM AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PART OF LOTS 1 TO 10, LOT 15 (EXCEPT THE WEST 9 FEET), LOTS 16 TO 28 AND THE WEST $19 \frac{3}{4}$ FEET OF LOT 11 IN BLOCK 4 IN HIGGINS, LAW AND COMPANY'S ADDITION TO CHICAGO; LOTS 1 TO 4, (EXCEPT THE WEST 9 FEET OF SAID LOT 4), IN THE SUBDIVISION OF THE WEST $4 \frac{1}{4}$ FEET OF LOT 11 AND ALL OF LOTS 12, 13 AND 14 IN HIGGINGS, LAW AND COMPANY'S ADDITION TO CHICAGO, AND ALL OF THE EAST-WEST VACATED ALLEY LYING NORTH OF SAID LOTS 15 TO 28 (EXCEPT THE WEST 9 FEET THEREOF), ALL IN SECTION 19, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS;

WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO DECLARATION OF CONDOMINIUM RECORDED MAY 18, 2005 AS DOCUMENT 0513822164 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

THE EXCLUSIVE RIGHT TO THE USE OF STORAGE SPACE 136, A LIMITED COMMON ELEMENT AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT 0513822164.

PARCEL 3:

EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2 FOR INGRESS AND EGRESS, USE, STRUCTURAL SUPPORT, USE OF SHARED FACILITIES, MAINTENANCE, UTILITIES, ENCROACHMENTS AND EXTERIOR MAINTENANCE AS CREATED BY THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS RECORDED MAY 18, 2005 AS DOCUMENT NO. 0513822163.

Commonly known as 500 W. Superior Street, Chicago, Illinois 60610

P.I.N. 17-09-114-013-0000

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Exhibit B

Permitted Exceptions

1. General real estate taxes not yet due and payable;
2. Special taxes or assessments and unconfirmed special assessments;
3. All rights, easements, restrictions, covenants, conditions and reservations of record or contained in the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for The Montgomery on Superior Condominium and a reservation by The Montgomery on Superior Condominium Association ("Association") to itself and its successors and assigns, for the benefit of all unit owners at the condominium, of the rights and easements set forth in the Declaration;
4. Terms, provisions and conditions of the Declaration, including all amendments and exhibits thereto;
5. Applicable zoning and building laws and ordinances;
6. Public and quasi-public utility easements, if any;
7. Plats of dedication and plats of subdivision and covenants thereon;
8. Acts done or suffered by or judgments against party of the second part, or anyone claiming under party of the second part;
9. Encroachments, if any;
10. Installments due after the closing for assessments established under the Declaration;
11. Rights in rivers, roads and highways, if any; and
12. Provisions of the Condominium Property Act of Illinois ("Act")

DeKalb County Clerk's Office