

# UNOFFICIAL COPY

## SPECIAL WARRANTY DEED

THIS INDENTURE, is executed and delivered as of November 3, 2005 between **MCZ/Centrum Millennium, L.L.C.**, an Illinois limited liability company created and existing under and by virtue of the laws of the State of Illinois, whose business address is c/o Centrum Properties, 225 W. Hubbard Street, 4th Floor, Chicago, IL 60610, party of the first part, and Arshad Gazi, residing at 4255 W. Emerson, Skokie, IL 60076, party of the second part.

Arshad Gazi shall be prohibited from selling, transferring, or assigning their interest in the property until the earlier to occur of: (i) a period of two years from the date of closing; or (ii) until 90% of the units in the Park Millennium Condominium have closed. If Arshad Gazi shall sooner sell, transfer or convey the property then the Grantor shall be entitled to collect and recover from Arshad Gazi the total amount of concessions given by Grantor to Arshad Gazi at the time of closing. Notwithstanding anything contained herein to the contrary, the provisions of this paragraph shall not apply to a lender taking title to the property hereby conveyed through foreclosure.

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.

The tenant of the Unit has waived or failed to exercise the right of first refusal.

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.



Doc#: 0531433176 Fee: \$32.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 11/10/2005 11:29 AM Pg: 1 of 5

Handwritten: WAD # 3

Handwritten: 328 9873

Handwritten: PLEASANT

Handwritten: CD

Handwritten: 5

Handwritten: BOX 334

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COUNTY TAX  
 REAL ESTATE TRANSACTION TAX  
 COOK COUNTY  
 NOV. -9.05  
 REVENUE STAMP

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

**MCZ/Centrum Millennium, L.L.C.,  
 an Illinois limited liability company**

By: *Brian Nevin*  
 One of its Managers

STATE OF ILLINOIS )  
 ) SS:  
 COUNTY OF COOK )

STATE OF ILLINOIS  
 STATE TAX  
 NOV. -9.05  
 REAL ESTATE TRANSFER TAX  
 DEPARTMENT OF REVENUE

# 0000090596

REAL ESTATE TRANSFER TAX  
 003 15.00  
 FP 102808

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY, that Brian Nevin personally known to me to be one of the managers of MCZ/Centrum Millennium, L.L.C., an Illinois 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 in capacity, he/she signed and delivered the said instrument, pursuant to the authority given by the Managers of said limited liability company as his/her 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 3rd day of November, 2005.

*Miguel Angel Cardona*  
 NOTARY PUBLIC

OFFICIAL SEAL  
 MIGUEL ANGEL CARDONA  
 NOTARY PUBLIC - STATE OF ILLINOIS  
 MY COMMISSION EXPIRES 03/19/07

This instrument was prepared by:

David C. Kluever  
 Kluever & Platt, L.L.C.  
 65 E. Wacker Place, Suite 1700  
 Chicago, Illinois 60601

Send Subsequent Tax Bills to:

ARCHAD GAZI  
4117 GOLF RD  
SKOKIE IL 60076

After Recording Return to:

PAUL GRANLA  
15 Spinning Wheel Rd. 126  
Hinsdale IL 60521

CITY OF CHICAGO  
 NOV. -9.05  
 REAL ESTATE TRANSACTION TAX  
 DEPARTMENT OF REVENUE

# 263900000

REAL ESTATE TRANSFER TAX  
 02362.50  
 FP 102805

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## EXHIBIT A LEGAL DESCRIPTION

### PARCEL 1:

UNIT 2710 IN THE PARK MILLENNIUM CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PART OF THE PROPERTY AND SPACE LYING ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF 49.00 FEET ABOVE CHICAGO CITY DATUM AND LYING WITHIN THE BOUNDARIES, PROJECTED VERTICALLY, OF PART OF THE LANDS LYING EAST OF AND ADJOINING FORT DEARBORN ADDITION TO CHICAGO, SAID ADDITION BEING THE WHOLE OF THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM RECORDED JULY 25, 2005 AS DOCUMENT 0520644013, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, IN COOK COUNTY, ILLINOIS

### PARCEL 2:

EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS CREATED BY RECIPROCAL EASEMENT AGREEMENT DATED SEPTEMBER 30, 1985 AND RECORDED SEPTEMBER 30, 1985 AS DOCUMENT NUMBER 85211829, AMENDED BY AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT DATED OCTOBER 1, 1985 AND RECORDED MARCH 25, 1986 AS DOCUMENT NUMBER 86115106 AND SECOND AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT DATED AS OF OCTOBER 1, 1994 AND RECORDED NOVEMBER 29, 1994 AS DOCUMENT NUMBER 04002369 MADE BY AND AMONG AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 28, 1979 AND KNOWN AS TRUST NO. 46968, AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 1, 1982 AND KNOWN AS TRUST NO. 56375 AND AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 17, 1985 AND KNOWN AS TRUST NO. 64971 TO CONSTRUCT, USE, OPERATE, MAINTAIN, REPAIR, RECONSTRUCT AND REPLACE THE EXTENSION OF A BUILDING AND ITS APPURTENANCES IN THE AIR RIGHTS, LOCATED (A) ABOVE A HORIZONTAL PLANE HAVING AN ELEVATION OF NINETY-ONE FEET, SIX INCHES ABOVE CHICAGO CITY DATUM AND (B) WITHIN THE TRIANGULAR SHAPED AREA OF THE BLOCK MARKED "TOWER EASEMENT"; THE RIGHT TO HAVE THE IMPROVEMENTS CONSTRUCTED ON PARCEL 1 ABUT AND MAKE CONTACT WITH THOSE IMPROVEMENTS CONSTRUCTED ON AND ALONG THE PERIMETER OF THE "LC PROPERTY" AS DESCRIBED THEREIN; AND TO ENTER UPON THAT PART OF THE BLOCK OWNED BY "GRANTOR" AS MAY BE REASONABLY NECESSARY FOR THE PURPOSE OF WINDOW WASHING, CAULKING, TUCKPOINTING, SEALING AND ANY OTHER MAINTENANCE OR REPAIR OF THE IMPROVEMENTS CONSTRUCTED ALONG THE COMMON BOUNDARIES OF THE PROPERTY DESCRIBED THEREIN, ALL AS DEFINED AND SET FORTH IN SAID DOCUMENT OVER THE LAND DESCRIBED AS THE "LC PROPERTY" DEPICTED IN EXHIBIT "A" THEREIN.

### PARCEL 3:

EASEMENTS FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS DATED MARCH 23, 1988 AND RECORDED MARCH 24, 1988 AS DOCUMENT NUMBER 88121032 MADE BY AND AMONG AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER A TRUST

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AGREEMENT DATED DECEMBER 23, 1987 AND KNOWN AS TRUST NO. 104126-09, AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER A TRUST AGREEMENT DATED JUNE 28, 1979 AND KNOWN AS TRUST NO. 46968, AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 1, 1982 AND KNOWN AS TRUST NO. 56375, ILLINOIS CENTER CORPORATION AND METROPOLITAN STRUCTURES, AND AMENDED BY FIRST AMENDMENT TO DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS DATED OCTOBER 1, 1994 AND RECORDED NOVEMBER 29, 1994 AS DOCUMENT NUMBER 04002370 TO ENTER UPON THE "PROJECT SITE" AND OVER THE "PROJECT" FOR THE PURPOSES OF INSTALLING, MAINTAINING AND REPLACING CAISSON BELLS WHICH MAY EXTEND IN THE "PROJECT SITE"; PROTECTING THE ROOF OF THE PROJECT DURING CONSTRUCTION; INSTALLING, MAINTAINING AND REPLACING THE FLASHING BETWEEN IMPROVEMENTS ON PARCEL 1 AND ABUTTING IMPROVEMENTS ON THE "PROJECT SITE"; INSTALLING, MAINTAINING AND REPLACING ARCHITECTURAL ORNAMENTATIONS AND FEATURES WHICH MAY EXTEND IN THE "PROJECT SITE" OVER THE ROOF LINE OF THE "PROJECT"; CONSTRUCTING, MAINTAINING AND REPLACING IMPROVEMENTS TO BE CONSTRUCTED ON PARCEL 1; WINDOW WASHING, CAULKING, TUCKPOINTING AND SEALING; ANY OTHER MAINTENANCE OR REPAIR OF THE IMPROVEMENTS CONSTRUCTED OR TO BE CONSTRUCTED ON PARCEL 1 ALONG THE COMMON BOUNDARIES OF PARCEL 1 AND "PROJECT SITE" AND ANY OTHER ENCROACHMENT INTO THE AIR SPACE ABOVE THE "PROJECT" AS MAY BE REASONABLY NECESSARY FOR THE CONSTRUCTION, MAINTENANCE AND REPAIR OF BUILDINGS ON PARCEL 1; AND FOR EMERGENCY EGRESS AND INGRESS FROM PARCEL 1 OVER THE "PROJECT" AND "PROJECT SITE", ALL DEFINED AND SET FORTH IN SAID DOCUMENT OVER THE LAND DESCRIBED AS THE "PROJECT SITE" DESCRIBED IN EXHIBIT "A" THEREIN.

#### PARCEL 4:

EASEMENTS FOR STRUCTURAL SUPPORT, PARKING, VEHICULAR AND PEDESTRIAN EGRESS AND INGRESS, AMONG OTHERS, FOR THE BENEFIT OF PARCEL 1 AS CREATED BY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS BY MCZ/CENTRUM MILLENNIUM, L.L.C., AN ILLINOIS LIMITED LIABILITY COMPANY AND MCZ/CENTRUM MILLENNIUM GARAGE, L.L.C., AN ILLINOIS LIMITED LIABILITY COMPANY DATED DECEMBER 16, 2004 AND RECORDED DECEMBER 22, 2004 AS DOCUMENT 0435734062 AND 0505619072.

COMMONLY KNOWN AS: 222 N. COLUMBUS, CHICAGO, ILLINOIS 60601

PIN: 17-10-316-028-0000  
17-10-316-029-0000  
17-10-316-030-0000  
17-10-316-031-0000

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## Exhibit B

### Permitted Exceptions

1. General real estate taxes not yet due and payable;
2. Special taxes or assessments not yet due and payable and unconfirmed special assessments;
3. All easements, covenants, restrictions, ordinances, agreements, conditions and building lines of record, including, without limitation, the Declaration of Covenants, Conditions, Restrictions and Easements by and between MCZ/Centrum Millennium, L.L.C., an Illinois limited liability company and MCZ/Centrum Millennium Garage L.L.C., an Illinois limited liability company, recorded December 22, 2004 with the Cook County Recorder as document 04357374062 as amended from time to time ("Operating Declaration");
4. All terms, provisions and conditions of the Declaration of Condominium Ownership and of Easements, Restrictions, Covenants and By-Laws for the Park Millennium Condominium Association as amended from time to time ("Declaration of Condominium") and a reservation by the Park Millennium 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 of Condominium;
5. Applicable zoning and building laws and ordinances;
6. Public and quasi-public utility easements, if any;
7. Party of the second part's mortgage, if any;
8. Plats of dedication and plats of subdivision and covenants thereon, if any;
9. Acts done or suffered by or judgments against party of the second part, or anyone claiming under party of the second part;
10. Encroachments, if any, including encroachments that are easements pursuant to the Declaration;
11. Installments due after the closing for assessments established under the Declaration;
12. Provisions of the Condominium Property Act of Illinois ("Act");
13. An easement in the Declaration for use of private terraces adjacent to Units 4701 and 4703 for ingress, egress and use as reasonably necessary for the staging of exterior window washing equipment;
14. An easement in the Declaration for access to and maintenance of shut-off valves in units on floors 25, 46, 47 and 52 in the event of an emergency;
15. The repurchase option referenced in Section 14.18 of the Declaration; and
16. The Existing Lease, if applicable.