

UNOFFICIAL COPY



Doc#: 0533610222 Fee: \$42.50
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 12/02/2005 02:46 PM Pg: 1 of 10

10/5

383
2181
Please Return To:
BRIDGE SERVICE CORP.
800-225-2736
277 Broadway #1710
New York, NY 10007-2001

Prepared under local supervision by ~~and when recorded, return to:~~

I. Erwin Dweck Esq. @ Simpson Thacher & Bartlett LLP
425 Lexington Ave. NY, NY 10017

Site #: 4030

REV 07-13-100-025-0000

Real property tax bills to be sent to:

Grantee

Instrument:

Limited Warranty Deed

Dated:

As of the notary date, but effective as of 7/11/05

Grantor:

BRE/ESA Properties L.L.C., a DE limited liability company, c/o Blackstone, 345 Park Ave, NY, NY 10154

Grantee:

BRE/ESA P Portfolio LLC, a DE limited liability company, c/o Blackstone, 345 Park Ave, NY, NY 10154

Nature of Instrument:

This Instrument is a conveyance between related entities with a common parent, and accordingly, there is no change in beneficial interest.

Witnesseth:

That the Grantor, in consideration of the sum of \$1 (or as otherwise provided on Schedule of Consideration, if annexed) paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, convey, transfer, assign and warrant unto Grantee, its successors and assigns, all of its estate, right, title and interest in and to that certain plot, piece or parcel of land (together with the buildings and improvements thereon erected) described on Schedule A hereto (the "Premises").

7/25

UNOFFICIAL COPY

Together with:

All right, title and interest (if any) of Grantor in and to any streets and roads abutting the Premises to the center line thereof, as well as any gaps, strips or gores on, around or within the Premises;

Together with:

All right, title and interest (if any) of Grantor in and to any hereditaments and appurtenances, and all of the estate and rights of Grantor.

To have and to hold:

The Premises herein conveyed unto the Grantee, its successors and assigns forever.

Warranty as to the Premises Conveyed Herein:

Grantor covenants with Grantee that (a) Grantor is lawfully seized of the fee simple title, (b) the fee simple title is free from all encumbrances, except those appearing in the existing Owner's Policy insuring the Grantor's fee simple title, (c) Grantor has a good right and lawful authority to sell and convey the fee simple title, (d) Grantor fully warrants the fee simple title to immediate Grantee only, and (e) Grantor will defend the fee simple title from all lawful claims of immediate Grantee only. The foregoing warranty is for the sole benefit of immediate Grantee only and shall not extend any successor grantee.

Property of Cook County Clerk's Office

UNOFFICIAL COPY


Multi-State Execution and Acknowledgment:

In witness whereof, the undersigned, by its duly elected officer(s) (who for purposes of real property located in the District of Columbia, are hereby appointed as its attorneys-in-fact) and pursuant to proper authority of its board of directors (as evidenced by the annexed Resolution as to real property in the LA) has duly executed, acknowledged and delivered this instrument as of the day and year first above written.

Grantor:

BRE/ESA Properties L.L.C., a DE limited liability company

By:


Name: Alan Miyasaki
Title: Vice President
Assistant Secretary

Property of Cook County Clerk's Office

UNOFFICIAL COPY

County of NY, State of NY:

Multi-State Corporate Acknowledgment:

On 7/ 05 /05, before me, the undersigned officer, personally appeared Alan Miyasaki personally known and acknowledged himself / herself to me (or proved to me on the basis of satisfactory evidence) to be the VP or Authorized Signatory of the foregoing executing entity (hereinafter, the "Entity") and that as such, being duly sworn, and being authorized to do so pursuant to its bylaws or a resolution or operating agreement, executed, subscribed and acknowledged the due execution of the foregoing instrument for the purposes therein contained, by signing the name of the Entity by himself / herself in his / her authorized capacity as such officer as his / her free and voluntary act and deed and the free and voluntary act and deed of said Entity. Witness my hand and official seal.

If this instrument was executed in NY or CA and affects real property outside NY or CA, the following is the prescribed NY & CA statutory form of acknowledgment and is supplemental to the foregoing acknowledgment, OR if this instrument was executed in NY or CA and affects real property in NY or CA, the following is the prescribed NY & CA statutory form of acknowledgment and supercedes the foregoing acknowledgment:

On 7/ 05 /05, before me, the undersigned, a Notary Public in and for said State, personally appeared Alan Miyasaki, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he / she / they executed the same in his / her / their capacity(ies), and that by his / her / their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument. Witness my hand and official seal.

Maria B. Abustan
Notary Public

MARIA B. ABUSTAN
Notary Public, State of New York
No. 01AB6124731
Qualified in New York County
Commission Expires March 28, 2009

County Clerk's Office

UNOFFICIAL COPY

Statutory Exemption Recital:

This Instrument is exempt from transfer and/or recording tax pursuant to the provisions of PARAGRAPH (e), SECTION 31-45 REAL ESTATE TRANSFER TAX ACT of the laws of the state in which the Premises are situated.

Property of Cook County Clerk's Office

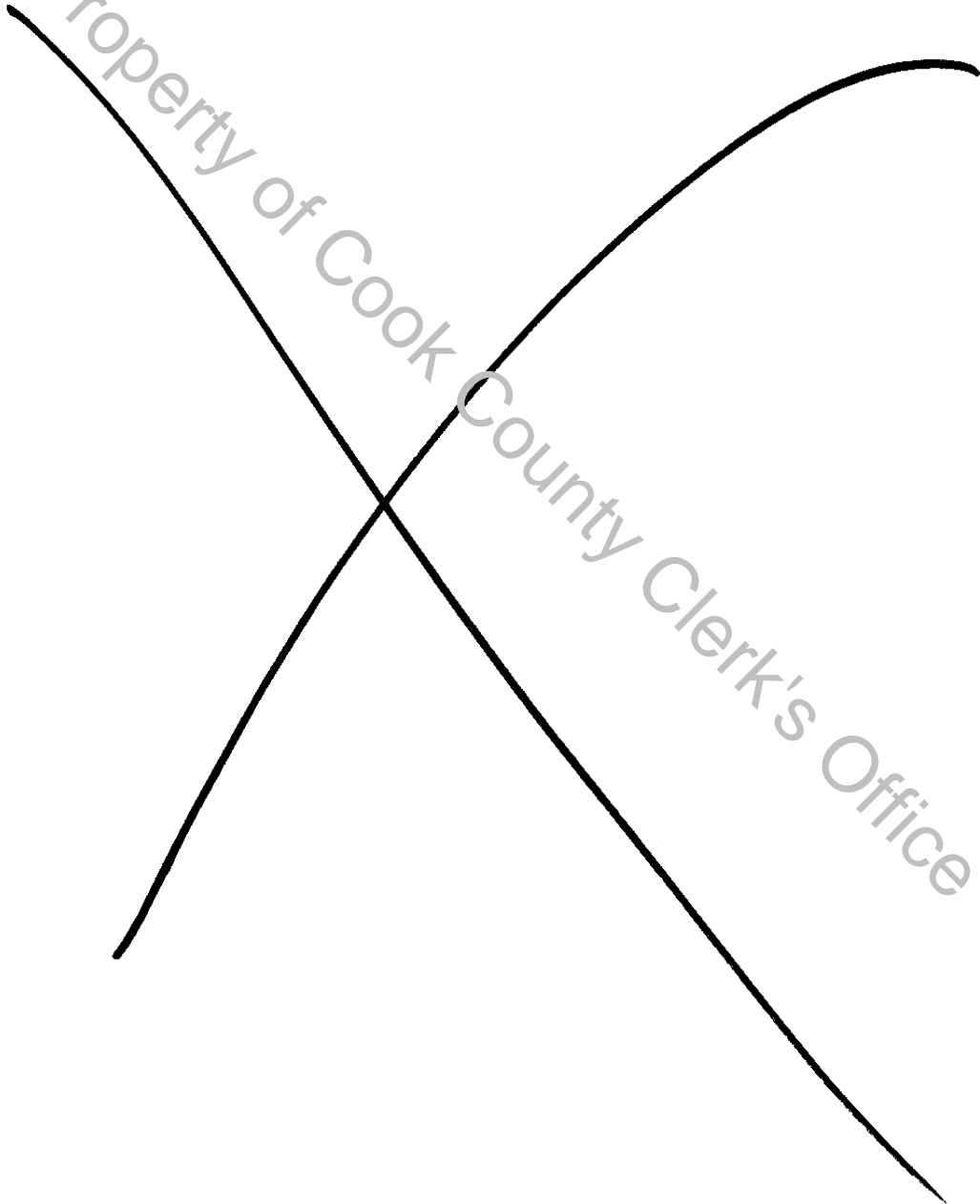
UNOFFICIAL COPY

Schedule A:

See annexed Legal Description of Premises

PROPERTY INDEX #: 07-13-100-025-0000

Property of Cook County Clerk's Office



UNOFFICIAL COPY

State of New York
County of New York

On 07/05/2005, before me, the undersigned officer, personally appeared Alan Miyosaki, personally known and acknowledged himself/herself to me (or proved to me on the basis of satisfactory evidence) to be the VP of BRE/ESA PROPERTIES L.L.C., a Delaware limited liability company (the "LLC"), and that as such officer, being duly sworn, and being authorized to do so pursuant to its LLC Agreement, executed, subscribed and acknowledged the due execution of the foregoing instrument for the purposes therein contained, by signing the name of the LLC by himself/herself in his authorized capacity as such officer as his/her free and voluntary act and deed and the free and voluntary act and deed of said LLC.

On 07/05/2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Alan Miyosaki, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Witness my hand and official seal:

Maria B. Abustan
Notary Public

My commission expires: 03/28/09

State of New York
County of New York

MARIA B. ABUSTAN
Notary Public, State of New York
No. 01AB6124731
Qualified in New York County
Commission Expires March 28, 2009

On 07/05/2005, before me, the undersigned officer, personally appeared Alan Miyosaki, personally known and acknowledged himself/herself to me (or proved to me on the basis of satisfactory evidence) to be the VP of BRE/ESA P PORTFOLIO L.L.C., a Delaware limited liability company (the "LLC"), and that as such officer, being duly sworn, and being authorized to do so pursuant to its LLC Agreement, executed, subscribed and acknowledged the due execution of the foregoing instrument for the purposes therein contained, by signing the name of the LLC by himself/herself in his authorized capacity as such officer as his/her free and voluntary act and deed and the free and voluntary act and deed of said LLC.

On 07/05/2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Alan Miyosaki, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Witness my hand and official seal:

Maria B. Abustan
Notary Public

My commission expires: 03/28/09

NGEDOCs: 016980.0501:117260
MARIA B. ABUSTAN
Notary Public, State of New York
No. 01AB6124731
Qualified in New York County
Commission Expires March 28, 2009

UNOFFICIAL COPY



VILLAGE OF SCHAUMBURG

CERTIFICATE OF EXEMPTION
101 Schaumburg Ct., Schaumburg, IL 60193-1899
FINANCE DEPARTMENT • 847.923.4546/4547 • FAX 847.923.2474/2454

For office use only

STAMP# _____
CHECK# _____
\$ _____
CHECKED? _____
WATER CHECKED? _____
INITIALS _____
DATE _____

VILLAGE OF SCHAUMBURG CERTIFICATE OF EXEMPTION

THE UNDERSIGNED _____ HEREBY STATES THAT THE DEED FROM

BRE/ESA Properties L.L.C. TO BRE/ESA Properties L.L.C. DATED _____
IS EXEMPT FROM THE VILLAGE OF SCHAUMBURG REAL ESTATE TRANSFER TAX AS FOLLOWS:

- _____ (a) Transactions involving property acquired by or from any governmental body, or any transaction involving property acquired by and from a corporation, society, foundation, association or institution organized and operated exclusively for charitable, religious or educational purposes.
- _____ (b) Transactions in which the deeds secure debt or other obligation.
- _____ (c) Transactions in which deeds, without additional consideration, confirm, correct, modify or supplement deeds previously recorded.
- X _____ (d) Transactions in which the actual consideration is less than \$500.00.
- _____ (e) Transactions in which the deeds are tax deeds.
- _____ (f) Transactions in which the deeds are releases of property which is security for a debt or obligation.
- _____ (g) Transactions in which the deeds are pursuant to a court decree.
- _____ (h) Transactions made pursuant to mergers, consolidations or transfers or sales of substantially all of the assets of a corporation pursuant to plans of reorganization.
- _____ (i) Transactions between subsidiary corporations and their parents for no consideration other than the cancellation or surrender of the subsidiary's stock.
- _____ (j) Transactions wherein there is an actual exchange of real property except that the money difference or money's worth paid from one or the other shall not be exempt from the tax.
- _____ (k) Transactions representing transfers subject to the imposition of a documentary stamp tax imposed by the U.S. Government.
- _____ (l) Transactions which are a transfer by lease.
- _____ (m) Transactions for the purchase of a new home from the builder of said home provided that the grantee is the first home purchaser of the unit.
- _____ (n) Transactions where the grantor or grantee has reached the age of 65.
Please provide proof of age (Example: Copy of driver's license or state ID)
- _____ (o) Transactions involving property sold by any person, (corporate or natural) and that same person purchasing other property located within the Village of Schaumburg. Please provide copies of both Sale Contracts, Deeds, or PTAX-203 with legal descriptions of properties.

STATE FACTS SHOWING THE APPLICABILITY OF EXEMPTION TO DEED:

There is no consideration for the transfer.

DESCRIPTION OF PROPERTY: Tax identification number, and common address:
1200 American Lane

DATE: _____ SIGNATURE: _____

Note: A \$10.00 fee and proper copies of documentation required. Examples: PTAX-203, Deed, ABI, Sales Contracts, and/ or proof of age, depending on your situation.

For mail request, please include a self-addressed stamped envelope.

UNOFFICIAL COPY

ESA Site #: 4030

STATEMENT BY GRANTOR AND GRANTEE

The grantor affirms that, to the best of his knowledge, the name of the grantee shown on the deed 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: 1/5/05

GRANTOR:

BRE/ESA PROPERTIES L.L.C., a Delaware limited liability company

By: [Signature]
Name: Alan Mignost
Title: VP

The grantee affirms and verifies that the name of the grantee shown on the deed 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: 1/5/05

GRANTEE:

BRE/ESA I PORTFOLIO L.L.C., a Delaware limited liability company

By: [Signature]
Name: Alan Mignost
Title: VP

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.

UNOFFICIAL COPY

Schedule A
Legal Description

LOT 3 IN AMERICAN LANE PLAT OF CONSOLIDATION AND RESUBDIVISION, BEING A CONSOLIDATION AND RESUBDIVISION OF LOTS 8, 9 AND PART OF LOT 10 IN ANDERSON'S WOODFIELD PARK BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 13, SAID CONSOLIDATION ALSO INCLUDING PARCEL B AS SHOWN ON ANDERSON'S PLAT OF CONSOLIDATION, RESUBDIVISION AND DEDICATION ON THE NORTHEAST 1/4 OF SECTION 14 AND IN THE NORTHWEST 1/4 OF SECTION 15, ALL IN TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

TA#165
ESA#4030
1200 American Lane, Schaumburg, IL

of Cook County Clerk's Office