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Doc#: 0600545065 Fee: \$38.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 01/05/2006 11:03 AM Pg: 1 of 8

MCC 40690-X 105 / DEC
1ST AMERICAN TITLE CO. d.t.#

Property Of Cook County Clerk's Office

SPECIAL WARRANTY DEED

Grantor: CSFB 2001-CKN5 Properties
Grantee: EVANSTON ENTERPRISE CENTER LLC
Property Address: 1840 Oak, Evanston, Illinois
PIN Nos.: 11 18 112 005 0000
11 18 112 040 0000
11 18 112 042 0000
11 18 117 004 0000

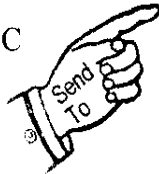
8

This Instrument Prepared By:

David A. Goldberg
Polsinelli Shalton Welte Suelthaus PC
700 West 47th Street, Suite 1000
Kansas City, Missouri 64112

After Recording Return To:

John J. Kobus, Jr.
Burke, Warren, MacKay & Serritella, P.C.
330 N. Wabash Avenue, 22nd Floor
Chicago, Illinois 60611-3607



CITY OF EVANSTON 018131

Real Estate Transfer Tax

Clerk's Office

PAID DEC 14 2005

AMOUNT \$ 15,750.⁰⁰

Agent _____

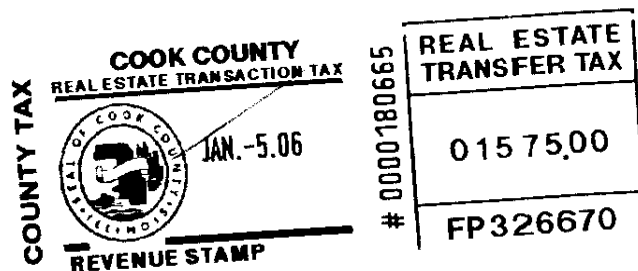
UNOFFICIAL COPY**SPECIAL WARRANTY DEED**
(1840 Oak)December 16, 2005 (the "**Effective Date**")

CSFB 2001-CKN5 Properties LLC, a Delaware limited liability company ("**Grantor**"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00), and for other good and valuable consideration in hand paid by **EVANSTON ENTERPRISE CENTER LLC**, a Delaware limited liability company ("**Grantee**"), as grantee, whose address is 100 Greenwood Avenue, Evanston, Illinois 60201, the receipt and sufficiency of which are hereby acknowledged and confessed, has **GRANTED, BARGAINED, SOLD and CONVEYED**, and by these presents does **GRANT, BARGAIN, SELL and CONVEY**, unto Grantee, (i) all that certain lot, tract or parcel of land, lying and being situated in the County of Cook, State of Illinois, more particularly described as Parcels 1 through 3 on **Exhibit A** attached hereto and incorporated herein by reference, together with all buildings, improvements, fixtures and appurtenances located on such land, and (ii) Grantor's leasehold interest as a tenant with respect to the property described as Parcel 4 on said **Exhibit A** and as created by that certain 1840 Oak Avenue Parking Lease, dated March 26, 2001, by and between the City of Evanston, as landlord, and M.G. 919 LLC, as tenant, a memorandum of which was recorded as Document No. 0010260631 in the real estate records of Evanston, Cook County, Illinois (collectively, the "**Property**").

This deed and conveyance is made and accepted subject to real estate taxes and assessments for the year 2005 and following years, and all covenants, conditions, restrictions, easements and rights of way of record, including, without limitation, those matters set forth on **Exhibit B** attached hereto, and is made on an "AS-IS, WHERE IS" basis, and, except as provided in the next following paragraph, without representation or warranty, express or implied, of any type, kind, nature or description whatsoever, all of which are hereby excluded, and with all faults (including, without limitation, all environmental conditions or otherwise).

TO HAVE AND TO HOLD the Property, together with, all and singular, the rights and appurtenances thereto in anywise belonging, unto Grantee, its successors, legal representatives and assigns, forever; and Grantor does hereby bind Grantor, and Grantor's successors and legal representatives, to WARRANT and FOREVER DEFEND, all and singular, the Property unto Grantee, its successors, legal representatives and assigns, against every person whatsoever lawfully claiming or to claim the same, or any part thereof, by, through or under Grantor but not otherwise.

EXECUTED to be effective as of the Effective Date.




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GRANTOR:

CSFB 2001-CKN5 PROPERTIES LLC,
a Delaware limited liability company

By: KeyCorp Real Estate Capital Markets, Inc.,
an Ohio corporation, as Authorized Agent

By: 
Printed Name: CLARK ROGERS
Title: VICE PRESIDENT

Property of Cook County Clerk's Office

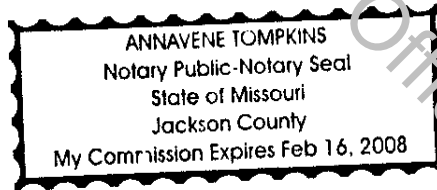
ACKNOWLEDGMENT

STATE OF MISSOURI)
)
COUNTY OF JACKSON)

This instrument was acknowledged before me on the 13th day of Dec, 2005
by Clark Rogers as aforesaid.


Notary Public in and for the State of Missouri
Printed Name of Notary Annavene Tompkins

My Commission Expires: 2-16-08



Send Subsequent Tax Bills To:

Evanston Enterprise Center LLC
100 Greenwood Avenue
Evanston, Illinois 60201

STATE TAX	STATE OF ILLINOIS	# 0000090653	REAL ESTATE TRANSFER TAX
	 JAN. -5.06		03150.00
	REAL ESTATE TRANSFER TAX DEPARTMENT OF REVENUE		FP326669

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EXHIBIT A

Legal Description

Fee Estate (Parcels 1 through 3)

Parcel 1

THE SOUTH 11-1/2 FEET OF LOT 3, MEASURED ALONG THE EAST LINE THEREOF, IN OWNER'S SUBDIVISION OF LOT 21 IN COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

Parcel 2

LOTS 13, 14 AND 15 IN BLOCK 1 IN CIRCUIT COURT SUBDIVISION IN PARTITION OF LOT 22 IN COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS IN SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART OF LOTS 13 AND 14, IF ANY, WHICH FALLS IN LOTS 1 AND 3, IN OWNER'S SUBDIVISION OF LOT 21, IN COUNTY CLERK'S DIVISION, AFORESAID, OF UNSUBDIVIDED LANDS IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

Parcel 3

THE SOUTH 11-1/2 FEET OF LOT 1, IN OWNER'S SUBDIVISION OF LOT 21 IN COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS IN THE NORTHWEST QUARTER OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

Parcel 4 [Leasehold Interest Only]

LOT 4 OF THE CHURCH MAPLE RESUBDIVISION, BEING A RESUBDIVISION OF PART OF DEMPSTER'S SUBDIVISION OF BLOCK 66 OF THE VILLAGE OF EVANSTON, COOK COUNTY, ILLINOIS; PART OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY (FORMERLY CHICAGO, MILWAUKEE AND ST. PAUL RAILROAD RIGHT OF WAY); PART OF BLOCK 18 IN THE VILLAGE OF EVANSTON; ALL OF BLOCKS 2 AND 3 IN CIRCUIT COURT SUBDIVISION IN PARTITION OF LOT 22 IN THE COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS; AND PART OF VACATED CLARK STREET AND EAST RAILROAD AVENUE; BEING IN THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 18, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 2, 1999 AS DOCUMENT 99528041.

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EXHIBIT B

Permitted Encumbrances

[Follows this Page]

Property of Cook County Clerk's Office

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File No.:40670-x

Schedule B of the policy or policies to be issued will contain the exceptions shown on the inside front cover of this Commitment and the following exceptions, unless same are disposed of to the satisfaction of the Company:

If any document referenced herein contains a covenant, condition or restriction violative of 42USC 3604(c), such covenant, condition or restriction to the extent of such violation is hereby deleted.

1. Taxes for the years 2005 and subsequent years which are not yet due and payable.
Taxes for the year 2004 in the amount of \$6470.82 are paid.
Permanent Index Number:
11 18 112 005 0000

Taxes for the years 2005 and subsequent years which are not yet due and payable.
Taxes for the year 2004 in the amount of \$162,388.57 are paid.
Permanent Index Number:
11 18 112 040 0000

Taxes for the years 2005 and subsequent years which are not yet due and payable.
Taxes for the year 2004 in the amount of 381.60 are paid.
Permanent Index Number:
11 18 112 042 0000

Taxes for the years 2005 and subsequent years which are not yet due and payable.
Taxes for the year 2004 are marked exempt.
Permanent Index Number:
11 18 117 004 0000
2. Terms and provisions of a consent agreement recorded April 2, 2001 as document 0010260634.
3. Restrictions contained in special warranty deed recorded on April 2, 2001 as document 0010260626.
4. Note for information: information and disclosures contained in environmental disclosure document for transfer of real property recorded February 5, 1990 as document 90058792.
5. Easement in favor of Commonwealth Edison Company for pole lines, conduits and maintenance purposes granted by document 90343865 recorded on July 18, 1990 and the terms and conditions thereof. (affects Parcels 1 to 3)
6. Easement recorded August 23, 1999 as document 99800718 made by and between CHS 1839 Railroad Associates limited partnership and 1880 Oak LLC and the terms and provisions contained therein. (affects Parcels 1 to 3)
7. Rights of Winstar Wireless Inc a Delaware corporation to maintain facilities, pursuant to antenna site license agreement dated November 30, 1999. (affects parcel 3)
8. An ordinance adopting and approving a tax increment financing redevelopment plan and redevelopment project by the City of Evanston recorded March 7, 1985 as document 27467088 as amended by the following documents:

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27467088, 27467089 and 27467090 recorded March 7, 1985;
 27483222, 27483223 and 27483224 recorded March 21, 1985;
 85033663, 85033664 and 85033665 recorded May 23, 1985.

9. Terms, provisions, and conditions of agreement for purchase and sale of real estate made by and among the City of Evanston, Northwestern University and Topcorp Inc., as disclosed by memorandum dated November 17, 1987 and recorded November 18, 1987 as document 87619561. (affects Parcel 4)
10. Memorandum of development and purchase option agreement made November 7, 1987 by and between Research park Inc., Charles H. Shaw/Evanston Associations and Topcorp, Inc., recorded March 17, 1988 as document 88112264 and the terms and provisions thereof. (affects Parcel 4)
11. Declaration of covenants, conditions, restrictions and easements for Northwestern University/Evanston Research Park made by Topcorp Inc., Research Park Inc., Northwestern University and Charles H. Shaw/Evanston Associates dated March 24, 1988 and recorded March 24, 1988 as document 88122453 relating to among other things, assessments, operation of the park, design review, development guidelines, maintenance standards and easements.
 (affects Parcel 4)
12. Lien for unpaid assessment, which by the terms of Declaration shown above recorded as document 88122453 became the responsibility of any party taking title through foreclosure.
13. Regarding the vacation ordinances recorded May 14, 1999 as document 99470328 and May 21, 1999 as documents 99493142, 99493143, 99493144 and 99493145 we note:
 - (a) rights of the municipality, the State of Illinois, the public and the owners of adjoining land in and to that part of the land lying within the vacated alley and vacated Clark Street.
 - (b) Rights of the public or quasi public utilities if any in said vacated alley and street for the maintenance therein of poles, conduits, sewers, etc.
 (affects Parcel 4)
14. Memorandum of redevelopment agreement recorded June 10, 1999 as document 99557362, including the public development for a public parking garage to be constructed on the parking parcel defined as Lot 4. (affects Parcel 4)
15. Memorandum of amended and restated Hotel Parking lease recorded June 13, 2000 as document 00432327 between the City of Evanston and Evanston Hotel Associates LLC and rights of all parties claiming thereunder. (affects Parcel 4)
16. Memorandum of lease recorded July 18, 2000 as document 00533851 made by the City of Evanston to Evanston Northwestern Healthcare corporation for a parking lease and rights of all parties claiming thereunder. (affects Parcel 4)
17. Parking lease recorded October 24, 2000 as document 00835172 made by the City of Evanston to Davis Church Office Development LLC and rights of all parties claiming thereunder, including the interest of La Salle Bank National Association under construction loan mortgage recorded October 24, 2000 as document 00835168 as amended by modification agreement recorded December 21, 2000 as document 0001002167. (affects Parcel 4)
18. Mini-anchor retail parking lease recorded October 27, 2000 as document 00847578 made by the City of Evanston to Church Street Plaza, LLC and rights of all parties claiming thereunder. (affects Parcel 4)

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19. Parking lease recorded October 30, 2000 as document 00852577 made by the City of Evanston to 1890 Maple LLC and rights of all parties claiming thereunder, including the interest of M & I Marshall and Ilsley Bank under leasehold mortgage recorded October 30, 2000 as document 00852578.
20. Parking lease recorded April 16, 1999 as document 99367941 as modified by first amendment to Parking lease recorded February 17, 2000 as document 00118062 and by second amendment to parking lease recorded January 2, 2001 as document 0010003646 made by the City of Evanston to 1880 Oak LLC and rights of all parties claiming thereunder, including the interest of M & I Marshall and Ilsley bank under leasehold mortgage recorded January 2, 2001 as document 0010003647. (affects Parcel 4)
21. Existing unrecorded leases, if any, and rights of parties in possession under said leases.
22. Terms, agreements, provisions, conditions and limitations contained in the lease described in Item 27 below and all rights thereunder of said lessors, their heirs, executors, administrators and assigns, including rents and all other charges reserved. (affects Parcel 4)
23. Survey made by B. H. Suhr and Company Inc., dated May 10, 2000 as order 99-1137 discloses the following matters:
 - (a) Encroachment of base of building located on the land over the south line by 0.16 feet and 0.05 feet and over the west line by 0.14 feet

(affects Parcel 2)

Survey made by B. H. Suhr and Company Inc., dated May 10, 2000 as order 99-1137 discloses the following matters:
 - (b) encroachment of building located on the land over the easement in favor of Commonwealth Edison Company recorded July 18, 1990 as document 90343865 by 0.22 feet to 0.24 feet
 - (c) interest of utility companies to maintain CATV station and IBT box located on the land

(affects Parcel 3)
24. Memorandum of parking lease made by the City of Evanston to Church Street Plaza recorded December 22, 2003 as document 0335650053 acknowledging that there is a lease to Cinema Parking for 40 years and the Main Pavilion Retail Parking Lease for a term of 10 years and the terms and provisions contained therein.
25. Any lien, or right to a lien in favor of a property manager employed to manage the land.
26. Right of appeal in Case 03 CH 21903.
27. Leasehold estate created by the instrument herein referred to as the Lease, executed by City of Evanston, as Lessor, and M.G. 919 LLC, as Lessee, dated March 26, 2001, a memorandum of which was recorded as Document Number 0010260631, demising the land for a term of years.

First American Title

03/11/2011