

UNOFFICIAL COPY



Doc#: 0602004089 Fee: \$58.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 01/20/2006 11:01 AM Pg: 1 of 5

This instrument prepared by:

David S. Martin
Neal, Gerber & Eisenberg LLP
2 North LaSalle Street
Suite 2200
Chicago, Illinois 60602

SPECIAL WARRANTY DEED

82 38423 / 25119858
193 p/l
This indenture, made November 15, 2005, between **H.P. Lincoln Atrium, L.L.C.** an Illinois limited liability company ("Grantor") and **Digital Attic, Inc.**, a Wisconsin corporation, whose address is 316 N. Milwaukee Street, Suite 567, Milwaukee, Wisconsin 53202 ("Grantee").

8
5
D

Witnesseth, that the Grantor, in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration the receipt of which is acknowledged, does hereby grant, sell, convey and warrant unto the Grantee, the following described real estate (the "Real Property"), situated in the City of Arlington Heights, Cook County, Illinois to wit:

LEGAL DESCRIPTION

UNIT NUMBER 3 IN THE LINCOLN ATRIUM CONDOMINIUM AS DELINEATED ON A SURVEY OF THE REAL ESTATE DESCRIBED ON THE ATTACHED.

THERE IS NO TENANT OF UNIT 3.

GRANTOR ALSO HEREBY GRANTS TO THE GRANTEE, 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 GRANTOR 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.

Together with all and singular the 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 Grantor, either in law or equity, of, in and to the above described premises, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said Real Property as above described, with the appurtenances, unto Grantee, their successors and/or assigns forever.

BOX 333-CT

UNOFFICIAL COPY

And Grantor, for itself and its successors and/or assigns, does covenant, promise and agree, to and with Grantee, its successors and/or assigns, that it has not done or suffered to be done, anything whereby the said Real Property hereby granted are, or may be, in any manner encumbered or charged, except as herein recited; and that the said Real Property, against all persons lawfully claiming, or to claim the same, by, through or under it, it WILL WARRANT AND DEFEND, subject to

- (a) General real estate taxes and special assessments with respect to the Real Property which are not then due and payable;
- (b) Terms, provisions, covenants and conditions of the Declaration of Condominium and all amendments thereto;
- (c) All easements, restrictions, rights-of-way, covenants, reservations, agreements and conditions affecting all or any portion of the Real Property;
- (d) All building restrictions and zoning regulations now or hereafter in effect, to the extent adopted by any municipal or other public authority and relating to all or any portion of the Real Property;
- (e) Limitations and conditions imposed by the Illinois Condominium Property Act; and
- (f) Installments due after December 31, 2005 of assessments established pursuant to the Declaration of Condominium, as amended.

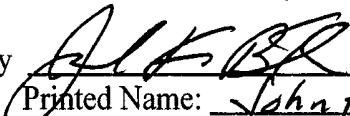
Commonly known as 135 E. Algonquin Road, Unit 3, Arlington Heights, Illinois

Permanent index numbers: 08-16-401-037-0000
 08-16-401-038-0000
 (affects this and other property)

To Have And To Hold the same unto the Grantee forever.

In Witness Whereof, the Grantor has executed this Deed as of the date first above written.

H.P. Lincoln Atrium, L.L.C.
 an Illinois limited liability company

By 
 Printed Name: John F. Barter
 Its Managing Member

UNOFFICIAL COPY

CHICAGO TITLE INSURANCE COMPANY

**COMMITMENT FOR TITLE INSURANCE
SCHEDULE A (CONTINUED)**

ORDER NO. : 1401 008238423 D2

5. THE LAND REFERRED TO IN THIS COMMITMENT IS DESCRIBED AS FOLLOWS:

PARCEL 1:

UNIT 3 IN THE LINCOLN ATRIUM CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED REAL ESTATE:

PARCEL A:

THAT PART OF LOT 2 IN LINCOLN EXECUTIVE PLAZA RESUBDIVISION, BEING A RESUBDIVISION OF PART OF LOT 2 IN AUGUST BUSSE'S DIVISION OF PART OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 12, 1981 AS DOCUMENT 26056020, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EAST LINE OF LOT 2, SAID POINT BEING 505.81 FEET, AS MEASURED ALONG SAID EAST LINE, NORTH OF THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 00 DEGREE, 01 MINUTE, 27 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 2, A DISTANCE OF 505.81 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89 DEGREES, 58 MINUTES, 33 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 39.76 FEET (RECORDED 39.75 FEET) TO THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID LOT 2;

THE FOLLOWING 3 COURSES ARE ALONG THE WESTERLY LINE OF SAID LOT 2; THENCE NORTH 08 DEGREES, 28 MINUTES, 33 SECONDS WEST, A DISTANCE OF 70.94 FEET (RECORDED 70.88 FEET) TO AN ANGLE POINT IN SAID LINE; THENCE NORTH 33 DEGREES, 58 MINUTES, 33 SECONDS WEST, A DISTANCE OF 182.00 FEET TO AN ANGLE POINT IN SAID LINE; THENCE NORTH 00 DEGREE, 01 MINUTE, 27 SECONDS EAST, A DISTANCE OF 284.77 FEET TO A CORNER OF SAID LOT 2; THENCE SOUTH 89 DEGREES, 58 MINUTES, 33 SECONDS EAST, A DISTANCE OF 152.02 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL B:

LOT 1 IN LINCOLN EXECUTIVE PLAZA SUBDIVISION, BEING A RESUBDIVISION OF PART OF LOT 2 IN AUGUST BUSSE'S DIVISION OF PART OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 12, 1981 AS DOCUMENT 26056020, (EXCEPT THAT PORTION OF LOT 1 TAKEN BY CONDEMNATION IN CASE 94L50202), AND,

EXCEPT THAT PART OF LOT 1 IN LINCOLN EXECUTIVE PLAZA RESUBDIVISION, BEING A RESUBDIVISION OF PART OF LOT 2 IN AUGUST BUSSE'S DIVISION PART OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 12, 1981 AS DOCUMENT 26056020, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1; THENCE SOUTH 27 DEGREES, 05 MINUTES, 35 SECONDS WEST ALONG THE WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 11.27 FEET TO THE POINT OF BEGINNING AT THE SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED; THENCE SOUTH 63 DEGREES, 11 MINUTES, 02 SECONDS EAST ALONG SAID SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED, A DISTANCE OF 15.70 FEET (SAID SOUTHWESTERLY LINE OF ALGONQUIN ROAD AS WIDENED, BEING A STRAIGHT LINE DRAWN FROM POINT ON THE WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 11.27 FEET AS MEASURED

UNOFFICIAL COPY

CHICAGO TITLE INSURANCE COMPANY

**COMMITMENT FOR TITLE INSURANCE
SCHEDULE A (CONTINUED)**

ORDER NO. : 1401 008238423 D2

ALONG SAID WESTERLY LINE, SOUTHERLY OF THE NORTHWEST CORNER OF SAID LOT 1 TO A POINT ON THE EAST LINE OF SAID LOT 1, A DISTANCE OF 11.18 FEET, AS MEASURED ALONG SAID EAST LINE, SOUTH OF THE NORTHEAST CORNER OF SAID LOT 1); THENCE SOUTH 26 DEGREES, 48 MINUTES, 58 SECONDS WEST, A DISTANCE OF 21.29 FEET; THENCE SOUTH 06 DEGREES, 56 MINUTES, 53 SECONDS EAST, A DISTANCE OF 22.07 FEET; THENCE SOUTH 49 DEGREES, 43 MINUTES, 46 SECONDS EAST, A DISTANCE OF 33.35 FEET; THENCE SOUTH 40 DEGREES, 16 MINUTES, 14 SECONDS WEST, A DISTANCE OF 104.60 FEET TO A POINT OF CURVATURE; THENCE SOUTHWESTERLY ALONG A CURVED LINE CONVEX NORTHWESTERLY, HAVING A RADIUS OF 225.00 FEET AND BEING TANGENT TO SAID LAST DESCRIBED LINE AT SAID LAST DESCRIBED POINT, AN ARC DISTANCE OF 5.12 FEET TO THE WEST LINE OF SAID LOT 1 (THE CHORD OF SAID ARC BEARS SOUTH 39 DEGREES, 37 MINUTES, 07 SECONDS WEST, A DISTANCE OF 5.12 FEET); THENCE NORTH 00 DEGREE, 01 MINUTE, 27 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 1, A DISTANCE OF 78.40 FEET TO AN ANGLE POINT IN SAID LINE; THENCE NORTH 27 DEGREES, 05 MINUTES, 35 SECONDS EAST ALONG THE WESTERLY LINE OF SAID LOT 1, A DISTANCE OF 84.15 FEET TO THE POINT OF BEGINNING;
WHICH SURVEY IS ATTACHED AS EXHIBIT 'D' TO THE DECLARATION OF CONDOMINIUM RECORDED JANUARY 22, 2004 AS DOCUMENT 0402232122, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 2:

SIGN EASEMENT FOR THE BENEFIT OF "PARCEL 6" ABOVE, AS CREATED BY THE FIRST AMENDMENT TO THE CONFIRMATION AND GRANT OF EASEMENT RECORDED APRIL 22, 1991 AS DOCUMENT 91184438 BY AND BETWEEN LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST NUMBER 23527 AND LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST NUMBER 23953 OVER A PART OF LOT 3 IN LINCOLN EXECUTIVE PLAZA RESUBDIVISION, BEING A RESUBDIVISION OF PART OF LOT 2 IN AUGUST BUSSE'S DIVISION OF PART OF THE EAST 1/2 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 12, 1981 AS DOCUMENT 26056020, IN COOK COUNTY, ILLINOIS.