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## SPECIAL WARRANTY DEED

The Grantor, Field Harbor Parking L.L.C., of 165 N. Field Drive, Chicago, Illinois 60601, in consideration of the sum of Ten Dollars and No Cents (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby CONVEYS to:

3958 Whipple Corporation  
("Grantee") residing at  
703 S Dearborn St  
Chicago, IL 60605

all interest in the following real property which is situated in the County of Cook, in the State of Illinois, to wit:

Unit K16 (the "Unit") together with its undivided percentage interest in the common elements in Field Harbor Parking Condominium as delineated and defined in the Declaration recorded as Document No. 03254311209, and as amended from time to time, in fractional Section 10, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Grantor also hereby grants to the Grantee, its successors and assigns, as rights and easements appurtenant to the Unit, all rights and easements for the benefit of said Unit set forth in the Declaration; and Grantor reserves unto itself, its successors and assigns, the rights and easements set forth in the Declaration for the benefit of the remaining land described in the Declaration. This Deed is subject to all rights, easements, covenants, restrictions, and reservations contained in the Declaration the same as though the provisions of said Declaration were recited and stipulated at length herein.

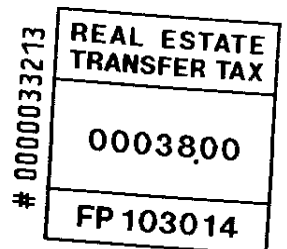
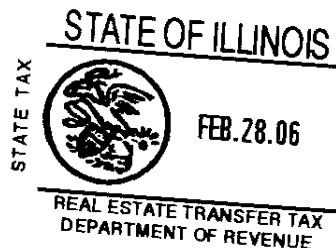
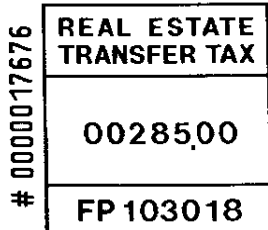
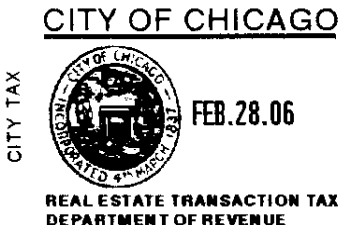
Grantor hereby does covenant, promise and agree, to and with Grantee, its successors, and assigns, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner incumbered or charged, except as herein recited; and that the said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, it WILL WARRANT AND DEFEND, SUBJECT TO the Permitted Exceptions set forth in Exhibit "A" attached hereto and made a part hereof.

Permanent Index Number: 17-10-400-029-0000

Commonly Known As: 165 N. Field Drive, Chicago, Illinois



Doc#: 0606153093 Fee: \$30.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 03/02/2006 11:59 AM Pg: 1 of 4





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## Exhibit "A"

### Permitted Exceptions

1. General Real Estate Taxes not yet due and payable.
2. Easement created by Section 3.2 of the Viaduct Deed from the Illinois Central Railroad Company, an Illinois corporation to Interstate Investments, Inc., recorded May 7, 1962 as Document 18467559 and created by Section 3.2 of the Supplemental Viaduct Deed from ICRC to IIT and recorded December 23, 1964 as Document 19341547 wherein Grantor grants to the air rights property a perpetual easement for the use, jointly with others for sanitary and storm sewers, water mains, electric power lines and telephone lines on the Land.
3. Provisions contained in the Deed from the Illinois Central Railroad Company to American National Bank and Trust Company of Chicago as Trustee under Trust Agreement dated April 9, 1962 and known as Trust Number 17460 and recorded May 7, 1962 as document 18467558 and contained in supplemental deed recorded December 23, 1964 as Document 19341545 that contains, inter alia:
  - (A) Article III, wherein Grantor shall grant easements to allow for the substitution of adequate natural or structural lateral support;
  - (B) Section 3.1 wherein Grantor shall grant easements to the air right property to make connections with viaducts, utility lines and for a ground level access road to the air rights property;
  - (C) Section 3.1, wherein Grantor grants easement over property for reasonable access for construction and maintenance of the supports of improvement, and of the pipes and equipment for air conditioning, connection with viaducts and utility lines, and ground level access roads;
  - (D) Section 3.1, wherein Grantor grants easement over property for lateral support, either natural or structural, for the support of the improvements to the extent required for the structural safety thereof;
  - (E) Section 3.1, wherein Grantor grants easement to install and maintain the necessary joints, sewers, gutters, downspouts, pipes, equipment and waterproofing to provide surface drainage;
  - (F) Article X, wherein Grantee subject to the rights of Grantor, shall have the right at any time to construct, demolish, alter, diminish, enlarge, or replace any structures or supports, utilities or other facilities which may at any time be situated over and upon the land together with the right to remove, rebuild, renew, alter or repair the supports of the improvement;

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(G) Section 3.1, wherein Grantor grants easements to use and maintain supports of the improvement located over the land and referred to in the Plat of Survey recorded December 10, 1964 as Document 19330409;

(H) Article XIV, wherein Grantor restricts its use of the land to current uses and the conduct of railroad operations and other and different uses provided the same shall not materially endanger or interfere with the reasonable use of the land and such other and different uses and economically sound and do not subject the air rights land to wear, depreciation risk of damage or deterioration greater than the uses permitted on date of Deed.

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