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SPECIAL WARRANTY DEED



Doc#: 0631345027 Fee: \$32.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 11/09/2006 11:57 AM Pg: 1 of 5

SPECIAL WARRANTY DEED

This Special Warranty Deed, made this 1st day of December in the year 2006 by and between **TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF AMERICA, FOR THE BENEFIT OF THE REAL ESTATE ACCOUNT** also known of record as **TEACHERS INSURANCE AND ANNUITY ASSOCIATION OF AMERICA, FOR THE BENEFIT OF ITS SEPARATE REAL ESTATE ACCOUNT**, a New York corporation, having an address at 730 Third Avenue, New York, New York 10017, Grantor, and **TRANSWESTERN COLUMBIA CENTRE III, L.L.C.**, a Delaware limited liability company, with an office at 150 N. Wacker Drive, Suite 800, Chicago, IL 60606, Grantee:

Above Space for Recorder's Use Only

WITNESSETH, THAT IN CONSIDERATION of Grantee's payment to Grantor of Ten Dollars (\$10.00), and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged by Grantee, Grantor hereby grants and conveys to Grantee and its successors and assigns, in fee simple, all of that parcel of land ("Land") in the Village of Rosemont, County of Cook, Illinois which is described in **Schedule 1** hereto, together with all improvements on the Land, and all rights, alleys, ways, waters and appurtenances belonging or in any way appurtenant to the Land or such improvements (all of which Land, improvements and appurtenances are referred to collectively herein as the "Property"),

TO HAVE AND TO HOLD the Property to the use and benefit of Grantee and its successors and assigns, in fee simple.

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GRANTOR HEREBY COVENANTS that Grantor will warrant specially such title, subject to all matters of record, and that Grantor will execute such further assurances at no cost or liability to Grantor. In accepting delivery of this Deed, Grantee acknowledges that any liability of Grantor arising hereunder shall be satisfied solely from the assets and properties of the Teachers Insurance and Annuity Association of America's Real Estate Account established as a separate investment account of Seller under New York law on February 22, 1995, and under the regulation of the State of New York Insurance Department, and in no event shall Grantee have any recourse against any assets or properties held by Teachers Insurance and Annuity Association of America in its general investment account or in any other of its existing or future separate accounts.

IN WITNESS WHEREOF, Teachers Insurance and Annuity Association of America, for the Benefit of the Real Estate Account also known of record as Teachers Insurance and Annuity Association of America, for the Benefit of its Separate Real Estate Account, has caused its seal to be hereunto affixed, and these presents to be executed on its behalf by Jennifer Hochglaube, its Director, and does hereby appoint the said Jennifer Hochglaube as its attorney-in-fact to acknowledge and deliver these presents as its act and deed as of the day first appearing above.

GRANTOR:

**TEACHERS INSURANCE AND ANNUITY
ASSOCIATION OF AMERICA, FOR THE
BENEFIT OF THE REAL ESTATE ACCOUNT**
also known of record as **TEACHERS INSURANCE
AND ANNUITY ASSOCIATION OF AMERICA,
FOR THE BENEFIT OF ITS SEPARATE REAL
ESTATE ACCOUNT**, a New York corporation

By:  [SEAL]
Name: Jennifer Hochglaube **KSO**
Title: Director

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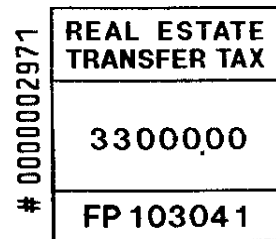
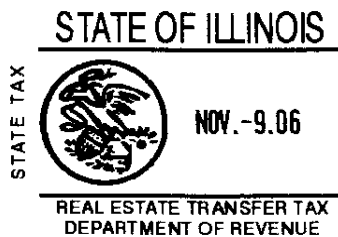
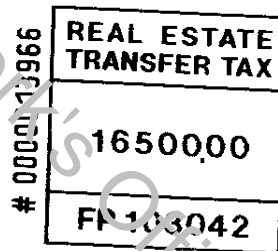
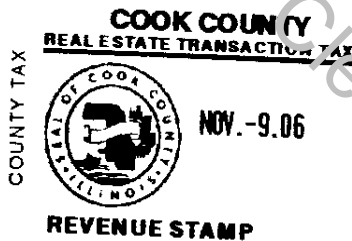
STATE OF New York
COUNTY/CITY OF New York

SS.

I, the undersigned, a Notary Public in and for the State of NY, do hereby certify that Jennifer Hochglaube, Director of Teachers Insurance and Annuity Association of America, for the Benefit of the Real Estate Account also known of record as Teachers Insurance and Annuity Association of America, for the Benefit of its Separate Real Estate Account, a New York corporation, who is personally well known to me as the attorney-in-fact named in the foregoing and annexed Deed, dated the 27 day of October, 2006, personally appeared before me in said jurisdiction and as attorney-in-fact as aforesaid, and by virtue of the power vested in her by said Deed, acknowledged the same to be the act and deed of Teachers Insurance and Annuity Association of America, for the Benefit of the Real Estate Account also known of record as Teachers Insurance and Annuity Association of America, for the benefit of its Separate Real Estate Account, a New York corporation, the grantor therein.

Loretta M. Monahan
NOTARY PUBLIC
LORETTA M. MONAHAN
Notary Public, State of N.Y.
No. 01M06001475

My Commission Expires: Commission Expires 1/12/2010



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Schedule 1

THE WEST 558.33 FEET (MEASURED ALONG THE NORTH LINE) OF LOT 1 OF HENRY HACHMEISTER'S DIVISION OF PARTS OF SECTIONS 9 AND 10, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 6, 1908 AS DOCUMENT NUMBER 4183101, EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE AFORESAID SECTION 10; THENCE SOUTHERLY ALONG THE WEST LINE OF SAID SECTION 10, A DISTANCE OF 217 FEET FOR THE PLACE OF BEGINNING; THENCE CONTINUING SOUTHERLY ALONG THE WEST LINE OF SAID SECTION 10, A DISTANCE OF 200 FEET; THENCE EASTERLY PARALLEL WITH THE SOUTH LINE OF BRYN MAWR AVENUE, A DISTANCE OF 80 FEET; THENCE NORTHERLY PARALLEL WITH THE WEST LINE OF SAID SECTION 10, A DISTANCE OF 200 FEET; THENCE WESTERLY PARALLEL WITH THE SOUTH LINE OF BRYN MAWR AVENUE, A DISTANCE OF 80 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

A PERPETUAL, NON-EXCLUSIVE EASEMENT IN, UNDER THE EASEMENT PARCEL (AS DESCRIBED IN EXHIBIT C) SOLELY FOR THE USE OF SANITARY SEWER AND FOR THE PURPOSE OF SERVICING AND MAINTAINING THE SANITARY SEWER AND EXTENSION IN ACCORDANCE WITH THE PROVISIONS OF PARAGRAPHS 2 AND 3 IN THE AGREEMENT AS CREATED, DEFINED AND LIMITED IN THE CERTAIN EASEMENT AGREEMENT DATED MARCH 1, 1989 AND RECORDED JANUARY 24, 1990 AS DOCUMENT NUMBER 90037337.

PARCEL 3:

EASEMENT OVER PORTIONS OF THE VILLAGE OF ROSEMONT PROPERTY TO THE SOUTH OF PARCEL 1 AS MAY BE INCIDENTAL TO THE USE OF THAT CERTAIN SKYBRIDGE CONNECTING THE 9 STORY BUILDING ON THE LAND WITH THE MULTI-LEVEL CONCRETE PARKING FACILITY ON THE LAND TO THE SOUTH AS CREATED, DEFINED AND LIMITED BY INSTRUMENT RECORDED JULY 25, 1990 AS DOCUMENT 90358728.

PARCEL 4:

ALL RIGHTS, INCLUDING THE USE OF 350 PARKING SPACES, AS GRANTED IN THE PARKING AGREEMENT MADE NOVEMBER 2, 1988 BY AND BETWEEN THE VILLAGE OF ROSEMONT, A MUNICIPAL CORPORATION, AND AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER A TRUST AGREEMENT DATED DECEMBER 12, 1986 AND KNOWN AS TRUST NUMBER 100841-01, A MEMORANDUM OF WHICH WAS RECORDED DECEMBER 14, 1988 AS DOCUMENT 88576464, AS AMENDED BY FIRST AMENDMENT THERETO RECORDED JULY 25, 1990 AS DOCUMENT 90358728, AS AMENDED BY ADDENDUM THERETO RECORDED FEBRUARY 3, 1993 AS DOCUMENT 93087080.

PROPERTY ADDRESS: 9525 W. Bryn Mawr Ave.
Rosemont, IL
PIN: 12-10-100-051 **Volume:** 063

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Prepared By: Lisa A. Rosen, Esq.
Sutherland Asbill & Brennan LLP
1275 Pennsylvania Ave., NW
Washington, DC 20004-2415

AFTER RECORDATION, PLEASE RETURN TO:

Scott Drane, Esq.
Drane Freyer & Lapins, Limited
150 North Wacker Drive
Suite 800
Chicago, IL 60606

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