

UNOFFICIAL COPY

SPECIAL WARRANTY DEED

For and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, DON'S

HOSPITALITY CORPORATION, an Illinois corporation ("Grantor"), 8905 Lake Avenue, Cleveland, OH 44102, hereby conveys, remises,

releases, aliens, grants and specially warrants to BRESLER SKOKIE LLC, an Illinois limited liability company, LICHTER SKOKIE LLC, an Illinois limited liability company, and ANGELOS SKOKIE LLC, an Illinois limited liability company (jointly, the "Grantee"), 180 North LaSalle Street, Suite 2108, Chicago, IL 60601, each as to an undivided one-third (1/3rd) interest as Tenants In Common, that certain real estate situated in the County of Cook, State of Illinois, legally described on Exhibit A attached hereto and made a part hereof ("Land"), together with all buildings and improvements thereon (collectively the "Improvements"), Grantor's right, title and interest in and to all easements, privileges, rights, hereditaments and appurtenances pertaining thereto (collectively the "Appurtenances"), and all of Grantor's right, title and interest, if any, in and to any streets, alleys, passages and other rights-of-way included therein or adjacent thereto (collectively the "Other Rights")(the Land, Improvements, Appurtenances and Other Rights are collectively the "Premises"), subject to those matters affecting title set forth on Exhibit B attached hereto and made a part hereof.

Permanent Index Nos. 10-15-115-017-0000 and 10-15-115-020-0000

Street Address: 9333 Skokie Boulevard, Skokie, IL 60077

TO HAVE AND TO HOLD the Premises unto Grantee forever.

Grantor, for itself and its successors, covenants, promises and agrees to and with Grantee, its successors and assigns, that Grantor has not done or suffered to be done, anything whereby title to the premises is or may be, in any manner encumbered or charged, except as herein recited; and that Grantor WILL WARRANT AND FOREVER DEFEND title to the Premises against any and all persons lawfully claiming by, through or under Grantor, subject only to those matters described on Exhibit B attached hereto and made a part hereof by this reference.

THIS INSTRUMENT PREPARED BY:

Peter B. Loughman Esq.
155 North Michigan Avenue, Suite 636
Chicago, Illinois 60601

AFTER RECORDING MAIL TO:

Dean J. Papadakis, Esq.
Kaplan Papadakis & Gournis, P.C.
180 N. LaSalle Street, Suite 2108
Chicago, IL 60601



Doc#: 0705733179 Fee: \$32.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 02/26/2007 01:52 PM Pg: 1 of 5

Box 400-CTCC

035 9316 D2 D6 / 066

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EXHIBIT A LEGAL DESCRIPTION

THAT PART OF THE NORTH HALF OF LOT 2 LYING WEST OF THE WEST LINE OF GROSS POINT ROAD, EXCEPT THE WEST 50 FEET THEREOF AND THAT PART OF LOT 1 LYING WEST OF THE WEST LINE OF GROSS POINT ROAD, EXCEPT THE WEST 50 FEET THEREOF AND EXCEPT THAT PART OF SAID LOT 1 LYING NORTHERLY OF LINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON A LINE 50 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF LOT 1, SAID POINT BEING 27.0 FEET SOUTH OF THE NORTH LINE OF LOT 1 (BEING ALSO THE SOUTH LINE OF EMERSON STREET); THENCE NORTHEAST A DISTANCE OF 14.24 FEET TO A POINT ON A LINE 17.0 FEET SOUTH OF THE NORTH LINE OF SAID LOT 1, SAID POINT BEING 60.0 FEET EAST OF THE WEST LINE OF SAID LOT; THENCE EASTERLY 185.0 FEET TO A POINT 7.50 FEET SOUTH OF THE NORTH LINE OF LOT 1. THENCE EAST ALONG A LINE 7.50 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF SAID LOT 1, 244.12 FEET, MORE OR LESS, TO A POINT OF CURVE, SAID POINT BEING 102.96 FEET WEST OF THE WESTERLY LINE OF GROSS POINT ROAD (AS MEASURED ON A LINE 7.50 FEET SOUTH OF AND PARALLEL TO THE NORTH LINE OF LOT 1); THENCE EASTERLY ALONG SAID CURVE, CONVEX TO THE NORTHEAST AND HAVING A RADIUS OF 84.0 FEET, A DISTANCE OF 63.33 FEET TO A POINT OF TANGENCY; THENCE SOUTHEAST ALONG THE TANGENT TO THE LAST DESCRIBED POINT, 17.55 FEET TO A POINT ON THE WESTERLY LINE OF GROSS POINT ROAD, SAID POINT BEING 58.0 FEET SOUTHWEST OF THE NORTHEAST CORNER OF SAID PROPERTY (AS MEASURED ON THE WESTERLY LINE OF SAID ROAD); ALL IN PARTITION BETWEEN THE HEIRS OF MICHAEL DIEDERICH OF THE SOUTH WEST QUARTER OF THE NORTH WEST QUARTER OF SECTION 15, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; ALSO EXCEPTING THEREFROM THAT PORTION DEDICATED TO THE VILLAGE OF SKOKIE BY PLAT OF DEDICATION RECORDED WITH THE RECORDER OF DEEDS FOR COOK COUNTY, ILLINOIS ON MARCH 23, 2006 AS DOCUMENT 0608239035.

Permanent Index Nos. 10-15-115-017-0000 and 10-15-115-020-0000

Street Address: 9333 Skokie Boulevard, Skokie, IL 60077

VILLAGE OF SKOKIE, ILLINOIS
Economic Development Tax
Skokie Code Chapter 98
Paid: \$22317.00
Chicago Office 2/21/2007

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EXHIBIT B **TITLE EXCEPTIONS**

1. NON-DELINQUENT REAL ESTATE TAXES AND ASSESSMENTS FOR THE YEAR 2006 AND SUBSEQUENT YEARS.
2. ACTS DONE OR SUFFERED BY GRANTEE OR ANYONE CLAIMING BY, THROUGH OR UNDER GRANTEE.
3. EASEMENT IN FAVOR OF COMCAST OF ILLINOIS/TEXAS, INC., ITS SUCCESSORS AND ASSIGNS FOR THE PURPOSE OF DISTRIBUTING BROADBAND SERVICES AND OTHER LIKE COMMUNICATIONS RECORDED/FILED FEBRUARY 28, 2006 AS DOCUMENT NO. 0605927059 AFFECTING THE LAND, AND THE TERMS AND PROVISIONS CONTAINED THEREIN.
4. ENCROACHMENT OF THE FENCE LOCATED MAINLY ON THE LAND ONTO THE PUBLIC RIGHT OF WAY NORTH AND ADJOINING BY APPROXIMATELY 1.24 FEET TO 1.69 FEET, AS SHOWN ON PLAT OF SURVEY NUMBER 237-06 PREPARED BY SAMBORSKI, MATTIS, INC. DATED OCTOBER 30, 2006.
5. UNRECORDED EASEMENT FOR PUBLIC UTILITIES PURPOSES OVER THE MOST NORTHEASTERLY CORNER OF THE LAND AS EVIDENCED BY THE EXISTENCE OF 'OVERHEAD' WIRES WHICH TRANVERSE THE LAND FROM NORTH TO SOUTH AS LOCATED AND DEPICED ON SUREY PREPARTED BY SAMBORSKI MATTIS, INC., ORDER NO. 237-06, DATED OCTOBER 30, 2006.

Clerk's Office

UNOFFICIAL COPY

PLAT ACT AFFIDAVIT

STATE OF ILLINOIS
 COUNTY OF COOK } SS.

Peter B. Loughman

, being duly sworn on oath, states that

he resides at Chicago, IL. That the attached deed is not in violation of 765 ILCS 205/1 for one of the following reasons:

1. Said Act is not applicable as the grantors own no adjoining property to the premises described in said deed;

- OR -

the conveyance falls in one of the following exemptions as shown by Amended Act which became effective July 17, 1959.

2. The division or subdivision of the land into parcels or tracts of five acres or more in size which does not involve any new streets or easements of access.
3. The divisions of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements of access.
4. The sale or exchange of parcels of land between owners of adjoining and contiguous land.
5. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities, which does not involve any new streets or easement of access.
6. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access.
7. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use.
8. Conveyances made to correct descriptions in prior conveyances.
9. The sale or exchange of parcels or tracts of land existing on the date of the amendatory Act into no more than two parts and not involving any new streets or easements of access.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED.

Affiant further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.

Peter B. Loughman
 Peter B. Loughman

SUBSCRIBED and SWORN to before me

this 19th day of February, 2007.

Belinda Loza
 Notary Public

