### **UNOFFICIAL COPY**

#### SPECIAL WARRANTY DEED

THIS INDENTURE, made this day of April, 2007, between Orchard Place L.L.C., an Illinois corporation, party of the first part, and,

interest, 427 Crchard LLC as to an undivided 30% interest, 427 Crchard LLC as to an undivided 58.62% interest, and FT Orchard LLC as to an undivided 11.38% interest, 55 W. Jackson Boulevard, Fifth Floor, Chicago, Illinois 60604, as tenants in common,

parties of the second part.



Doc#: 0711733159 Fee: \$54.00 Eugene "Gene" Moore RHSP Fee:\$10.00 Cook County Recorder of Deeds Date: 04/27/2007 01:35 PM Pg: 1 of 4

WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and No Dollars and other good and valuable consideration in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, by these presents does REMISE, RELEASE AND CONVEY unto the parties of the second part, and to their successors and assigns, forever, all the following described real estate, situated in the County of Cook and State of Illinois known and described as follows, to wit:

[Legal description is attached hereto as Exhibit "A" and mide a part hereof]

Together with all hereditaments and appurtenances thereur to 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 the party of the first part, either in law or equity, of, in and to the above described premises: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the party of the second part, its successors and assigns forever.

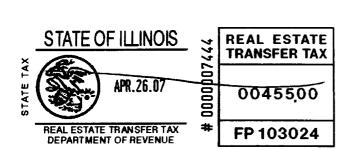
And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, its successors and assigns, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner incumposed or charged, except as and subject to the matters set forth on Exhibit "B" attached hereto; and that herein recited; and that the said party of the first part WILL WARRANT AND DEFEND the premises agains all persons carning by, through or under the party of the first part, but not otherwise.

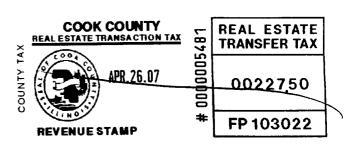
Permanent Index Number: 10-16-206-049

Adress of Real Estate: 4801 Golf Road, Skokie, Illinois 60077

VILLAGE OF SKOKIE, ILLINOIS Economic Development Tax Skokie Code Chapter 98 Paid: \$10500 Skokie Office 04/18/07

#### Box 400-CTCC





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IN WITNESS WHEREOF, said party of the first part has caused this Special Warranty Deed to be executed as of the day and year first above written.

Orchard Place L.L.C.

By: Orchard Place Outlot, Inc., its Manager

STATE OF ILLINOIS SS COUNTY OF COOP

The undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Mitchell Saywitz, as President of Orchard Place Outlot,, an Illinois corporation, Manager of Orchard Place L.L.C., an Illinois limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such President of said corporation, appeared before me this day and acknowledged that he signed and delivered the said instrument as his own free and of April, 2007. voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this



This instrument was prepared by:

Charles E. Alexander 40 Skokie Boulevard Suite 630 Northbrook, Illinois 60062 After recording return to:

Arnold Weinberg Much Shelist 191 N. Wacker Drive, Suite 1800 Chicago, Illinois 60606

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EXHIBIT "A" LEGAL DESCRIPTION

Parcel 1:

LOT 2 IN ORCHARD PLACE RESUBDIVISION, BEING A RESUBDIVISION IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Parcel 2:

EASEMENT FOR INGRESS, EGRESS AND PARKING OVER ALL COMMON AREAS AS SET FORTH IN THE DECLARATION OF COVENANTS RESTRICTIONS AND EASEMENTS RECORDED AS DOCUMENT NUMBER 96718369.

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## EXHIBIT "B" EXCEPTIONS TO WARRANTY OF TITLE

- 1. General real estate taxes for 2006 and subsequent years.
- 2. Covenants, conditions, restrictions and easements of record.
- 3. Rights of tenants under leases.
- 4. Mortgage and Security Agreement dated March 30, 2007 and recorded April 6, 2007 as Document 0709602210 made by Orchard Place Retail, L.L.C. and Orchard Place L.L.C. to JPMorgan Chase Bank, N.A. to secure a Note for \$35,000,000.
- 5. Assignment of 'Lerses and Rents dated March 30, 2007 and recorded April 6, 2007 as Document 0709602211 made by Crelard Place Retail, L.L.C. and Orchard Place L.L.C. to JPMorgan Chase Bank, N.A.