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THIS DOCUMENT PREPARED AND
RECORDING REQUESTED BY:

Doc#: 0808133011 Fee: \$44.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 03/21/2008 08:31 AM Pg: ~~1~~5

Sheila Kailus, Esq
Joseph Freed and Associates LLC
220 N. Smith Street, Suite 300
Palatine, IL 60067

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WHEN RECORDED MAIL TO:

Peter G. Koffler, Esq.
Stroock & Stroock & Lavan LLP
180 Maiden Lane
New York, NY 10038

8392700028

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

SPECIAL WARRANTY DEED

THE UNDERSIGNED GRANTOR DECLARES:

FOR AND IN CONSIDERATION OF TEN AND NO/100 (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, ELSTON LOGAN HOLDINGS LLC, an Illinois limited liability company ("Grantor"), does hereby GRANT, CONVEY, BARGAIN AND SELL to AFIAA ELSTON LOGAN, LLC, a Delaware limited liability company, having an address of 119 West 23rd Street, Suite 1003, New York, NY 10011 ("Grantee"), and its successors and assigns, FOREVER, the real property located in the City of Chicago, County of Cook, State of Illinois, and more particularly described in Exhibit A attached hereto and made a part hereof, together with, all and singular, the tenements, hereditaments, easements, rights-of-way and appurtenances belonging or in anywise appertaining to the same, subject solely to the matters set forth in Exhibit B attached hereto and made a part hereof.

AND Grantor, for itself, and its successors and assigns, hereby covenants with Grantee that it has not done or suffered to be done, anything whereby the said real property hereby granted is, or may be, in any manner encumbered or charged, except as herein recited, and that Grantor is lawfully seized of said real property in fee simple subject, however, to the matters set forth in Exhibit B attached hereto

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and made a part hereof; that Grantor has good right and lawful authority to sell and convey said real property; and hereby warrants the title to said real property and will WARRANT AND DEFEND the same against the lawful claims of all persons claiming by, through or under Grantor, but not otherwise.

ADDRESS OF REAL RESTATE: 2700 N. Elston Avenue and 2300 W. Logan Avenue, Chicago, Illinois

PERMANENT TAX IDENTIFICATION NUMBERS: 14-30-304-004-0000, 14-30-304-012-0000, 14-30-304-014-0000, 14-30-304-016-0000, 14-30-304-018-0000

IN WITNESS WHEREOF, the undersigned hereby executes this instrument as of the 17th day of March 2008.

GRANTOR:

Elston Logan Holdings LLC, an Illinois limited liability company

By: JFA Management LLC, its Manager

By: 

One of its Managers

Mail subsequent tax bills to: AFIAA U.S. Real Estate, Inc., 119 West 23rd Street, Suite 1003, New York, NY 10011.

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EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1:

THE NORTHEASTERLY 1/2 OF VACATED HOLLY AVENUE, LYING SOUTHWESTERLY OF AND ADJOINING LOTS 26, 27 AND 28 IN BLOCK 1 IN JONES' SUBDIVISION OF LOT 6 IN THE SNOW ESTATE SUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN; AND LOT 5 IN COLBERT'S SUBDIVISION OF LOTS 29 TO 33, BOTH INCLUSIVE; AND LOTS 38 TO 42, BOTH INCLUSIVE IN BLOCK 1 OF JONES' SUBDIVISION AFORESAID, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS 18, 19, 20 AND 21 (EXCEPT THE NORTHWESTERLY 16.00 FEET OF SAID LOT 21) AND THE 16-FOOT VACATED ALLEY, LYING SOUTHWESTERLY OF AND ADJOINING SAID LOTS 18, 19, 20 AND 21 (EXCEPT THE NORTHWESTERLY 16.00 FEET OF SAID LOT 21) AND LOTS 26, 27 AND 28 ALL IN BLOCK 1 IN JONES' SUBDIVISION OF LOT 6 IN SNOW ESTATE SUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

LOTS 1 TO 5 IN COLBERT'S SUBDIVISION OF LOTS 29 TO 33, BOTH INCLUSIVE AND LOTS 38 TO 42 BOTH INCLUSIVE IN BLOCK 1 IN JONES' SUBDIVISION OF LOT 6 IN SNOW ESTATE SUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 4:

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY THAT PARTY WALL AGREEMENT RECORDED SEPTEMBER 7, 2001, AS DOCUMENT 0010834554 FOR THE MAINTENANCE AND USE OF SAID PARTY WALL AS DEPICTED ON EXHIBIT 'C' ATTACHED THERETO.

14-30-304-004-0000

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14-30-304-016-0000

14-30-304-018-0000

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EXHIBIT B

TITLE EXCEPTIONS

1. GENERAL AND SPECIAL TAXES AND ASSESSMENTS NOT YET DUE AND PAYABLE, SUBJECT TO APPORTIONMENT AS PROVIDED IN SECTION 4.3.1 OF REAL ESTATE SALES AGREEMENT.
2. RIGHTS OF CAPITAL FITNESS-LOGAN, LLC AND ENTERPRISE LEASING COMPANY OF CHICAGO, AS TENANTS ONLY, UNDER UNRECORDED LEASES.
3. ZONING, BUILDING AND OTHER GOVERNMENTAL AND QUASI-GOVERNMENTAL LAWS, CODES AND REGULATIONS.
4. LEASE MADE BY ELSTON LOGAN HOLDINGS LLC TO PANERA, LLC DATED DECEMBER 21, 2006, A MEMORANDUM OF WHICH WAS RECORDED JANUARY 11, 2007 AS DOCUMENT 0701142127, DEMISING THE LAND FOR A TERM OF YEARS BEGINNING THE DAY THE TENANT OPENS FOR BUSINESS OR 120 DAYS AFTER THE LATER OF A) THE PREMISES DELIVERY DATE OR B) THE DATE TENANT OBTAINS LANDLORD APPROVED PLANS AND PERMITS AND ENDING TEN (10) YEARS LATER WITH TWO (2) OPTIONS TO RENEW FOR FIVE (5) YEARS EACH, AND ALL RIGHTS THEREUNDER OF, AND ALL ACTS DONE OR SUFFERED THEREUNDER BY, SAID LESSEE OR BY ANY PARTY CLAIMING BY, THROUGH, OR UNDER SAID LESSEE.
5. EASEMENT CREATED BY 2320 LOGAN BOULEVARD CORPORATION, A CORPORATION OF ILLINOIS, TO THE PEOPLES GAS LIGHT AND COKE COMPANY, A CORPORATION OF ILLINOIS, CREATED BY EASEMENT RECORDED SEPTEMBER 1, 1966 AS DOCUMENT 19932965 CREATING A PERMANENT RIGHT OF WAY AND PERPETUAL EASEMENT TO LAY, CONSTRUCT, MAINTAIN, OPERATE, REPAIR, RENEW, RELAY, REPLACE AND REMOVE A GAS MAIN OR GAS MAINS AND SERVICE PIPES AND THE NECESSARY ATTACHMENT, CONNECTIONS AND FIXTURES FOR TRANSMITTING, DISTRIBUTING, SUPPLYING AND SELLING GAS IN, THROUGH, UNDER, ALONG AND ACROSS THE FOLLOWING DESCRIBED PROPERTY: ALL THAT PART OF THE NORTHEASTERLY 20.00 FEET (MEASURED PERPENDICULARLY) OF NORTH HOLLY AVENUE, LYING BETWEEN SOUTHEASTERLY LINE OF WEST SCHUBERT AVENUE, EXTENDED AND THE NORTHWESTERLY LINE OF WEST LOGAN BOULEVARD EXTENDED SOUTHWESTERLY IN SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
6. PARTY WALL RIGHTS AS ESTABLISHED BY AGREEMENT MADE BY AND BETWEEN MIDTOWN BANK AND TRUST COMPANY, AN ILLINOIS BANKING CORPORATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 17, 1986 AND KNOWN AS TRUST NUMBER 1470 AND

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WARBURG-STORAGEMART PARTNERS, LP, A DELAWARE LIMITED PARTNERSHIP RECORDED SEPTEMBER 7, 2001 AS DOCUMENT 0010834554, AND THE TERMS, COVENANTS, AND PROVISIONS CONTAINED THEREIN, AS SHOWN ON THE PLAT OF SURVEY BY GREMLEY & BIEDERMANN NUMBER 2007-09897-001 LAST UPDATED.

7. NO FURTHER REMEDIATION LETTER RECORDED SEPTEMBER 17, 2007 AS DOCUMENT 0726034072.

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