



Doc#: 0818441096 Fee: \$46.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 07/02/2008 04:17 PM Pg: 1 of 6

Prepared by:

Valerie Haugh  
Haugh & Associates  
525 Dee Lane, Suite 200  
Roselle, IL 60172

After recording, return to:

John J. Lipic  
Bryan Cave LLP  
161 N. Clark Street  
Suite 4300  
Chicago, IL 60601

**SPECIAL WARRANTY DEED**

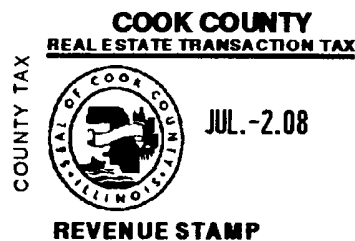
1033 University LLC, an Illinois limited liability company ("Grantor"), whose address for purposes hereof is c/o Richard M. Ross, Jr., Bilger Corp., 400 North Michigan Avenue, Suite 1616, Chicago, Illinois 60611 for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) paid to Grantor and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, has GRANTED, BARGAINED AND SOLD and does hereby GRANT, BARGAIN AND SELL unto Equitable Evanston, LLC, a Delaware limited liability company and Equitable Evanston (H), LLC, a Delaware limited liability company and those other parties listed on Exhibit C attached hereto (if any), all as tenants in common according to percentages listed on Exhibit C attached hereto (collectively, "Grantee"), whose address for purposes hereof is c/o Equitable Capital Group, LLC, 1901 Avenue of Stars, 2<sup>nd</sup> Floor, Los Angeles, California 90067, that certain tract or parcel of real property (herein called the "Land") located in Cook County, Illinois, as more particularly described on Exhibit A attached hereto and made a part hereof by this reference, together with all improvements located thereon, and all rights and appurtenances pertaining thereto (the Land, the improvements and all rights and appurtenances are herein collectively referred to as the "Property").

TO HAVE AND TO HOLD the Property unto Grantee and Grantee's successors and assigns forever; and Grantor does hereby bind itself and its successors and assigns to warrant and forever defend the Property unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, through or under Grantor, but not otherwise, subject only to any and all matters listed or contained in Exhibit B labeled "Permitted Encumbrances" which is attached hereto, incorporated herein and made a part hereof for all purposes. To the full extent same are valid and subsisting and affect the Property.

842 7777  
3 OF 7 AS D2



REAL ESTATE TRANSFER TAX
11950.00
FP 103037



REAL ESTATE TRANSFER TAX
05975.00
FP 103042

CITY OF EVANSTON 022142  
Real Estate Transfer Tax  
City Clerk's Office  
PAID JUL 2 2008  
AMOUNT \$ 59,750.00  
Agent:

# UNOFFICIAL COPY

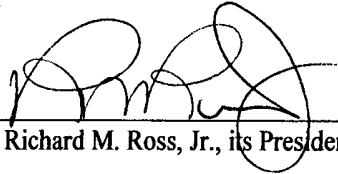
EXECUTED on the date set forth in the acknowledgment attached hereto to be effective as of the 1 day of ~~June~~, 2008.

July

“Grantor”:

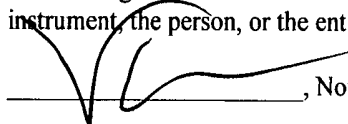
1033 University LLC, an Illinois limited liability corporation

By: Bilger Corporation, an Ohio corporation, its manager

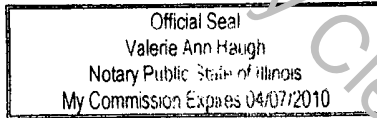
By:   
Richard M. Ross, Jr., its President

STATE OF Illinois )  
  ) ss  
COUNTY OF DuPage )

On ~~June~~ July 1, 2008, before me, the undersigned, a notary public in and for said State, personally appeared Richard M. Ross, Jr., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument as the President of Bilger Corporation, an Ohio corporation, as the manager of 1033 University LLC, an Illinois limited liability company and acknowledged to me that he executed the same in his authorized capacity and that, by his signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

, Notary Public

My Commission Expires:  
\_\_\_\_\_



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## EXHIBIT A

### Legal Description

LOT 17 (EXCEPT THE WEST 26 FEET THEREOF), ALL OF LOTS 18, 19 AND 20, AND THE WEST 38 FEET OF LOT 21, TOGETHER WITH THE SOUTH HALF OF THE VACATED ALLEY LYING NORTH OF AND ADJACENT THERETO, ALL IN BLOCK 1 IN CIRCUIT COURT SUBDIVISION IN PARTITION OF LOT 22 IN COUNTY CLERK'S DIVISION OF UNSUBDIVIDED LANDS, IN SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

11-18-112-021-0000

11-18-112-022-0000

11-18-112-023-0000

11-18-112-024-0000

11-18-112-025-0000

11-18-112-044-0000

Commonly known as: 1033 University Place, Evanston, Illinois

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## EXHIBIT B

### Permitted Encumbrances

1. EXISTING UNRECORDED LEASES IN FAVOR OF UNITED STATES OF AMERICA; STARTSPOT MEDIAWORKS, INC.; THOMAS SUK; WILLOUGHBY ASSOCIATES, LTD.; EVANSTON NORTHWESTERN HEALTHCARE CORPORATION; MARILYN SUSMAN, JANET DONNELLY-LONDON, PATRICIA SMITH, AND KEVIN J. HARTIGAN, ALL DOING BUSINESS AS THE EVANSTON PSYCHOLOGICAL GROUP; JAMES T. MURRAY; AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEES.
2. TERMS AND PROVISIONS OF AN ORDINANCE ADOPTING AND APPROVING A TAX INCREMENT FINANCING REDEVELOPMENT PLAN AND REDEVELOPMENT PROJECT BY THE CITY OF EVANSTON, RECORDED MARCH 7, 1985 AS DOCUMENT 27467088, AS AMENDED BY THE FOLLOWING DOCUMENTS: 27467088, 27467089 AND 27467090 RECORDED ON MARCH 7, 1985, 27483222, 27483223, AND 27483224 RECORDED ON March 25, 1985 and 85033663, 85033664 AND 85033665 RECORDED ON MAY 23, 1985.
3. EASEMENT IN FAVOR OF EVANSTON NORTHWESTERN HEALTHCARE CORPORATION; CHS 1033 UNIVERSITY ASSOCIATES LIMITED PARTNERSHIP AND 1890 MAPLE, LLC, THEIR SUCCESSOR AND ASSIGNS, AS GRANTED IN THE ACCESS EASEMENT AGREEMENT RECORDED OCTOBER 30, 2000 AS DOCUMENT 00852574, FOR THE PURPOSE OF PEDESTRIAN AND VEHICULAR PASSAGE, CIRCULATION AND INGRESS AND EGRESS, AND THE TERMS AND PROVISIONS CONTAINED THEREIN.
4. EASEMENT IN FAVOR OF THE COMMONWEALTH EDISON COMPANY, AND ITS SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN ALL EQUIPMENT NECESSARY FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT, AND THE PROVISIONS RELATING THERETO CONTAINED IN THE GRANT RECORDED AS DOCUMENT 90335485, AFFECTING THAT PORTION OF THE LAND AND OTHER PROPERTY AS SHOWN ON THE SKETCH MARKED EXHIBIT "A" ATTACHED THERETO.
5. EASEMENTS FOR PUBLIC UTILITIES, INCLUDING, BUT NOT LIMITED TO, SUCH RIGHTS-OF-WAY, LICENSE AND EASEMENT RIGHTS TO SUCH EQUIPMENT AS IS PRESENTLY INSTALLED AND LOCATED IN THE VACATED ALLEY, AND THE RIGHTS OF INGRESS AND EGRESS FOR THE MAINTENANCE, RENEWAL AND RECONSTRUCTION THEREOF, AS SET FORTH IN THE ORDINANCE VACATING SAID ALLEY, A COPY OF WHICH WAS RECORDED APRIL 19, 2000 AS DOCUMENT 00271923.
6. RIGHTS OF THE PUBLIC AND QUASI-PUBLIC UTILITIES, IF ANY, IN SAID VACATED ALLEY FOR MAINTENANCE THEREIN OF POLES, CONDUITS, SEWERS AND OTHER FACILITIES.
7. COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN QUIT CLAIM DEED DATED OCTOBER 27, 2000 AND RECORDED OCTOBER 30, 2000 AS DOCUMENT 00852570 FROM NORTHWESTERN UNIVERSITY/EVANSTON RESEARCH PARK, INC. TO CHS 1033 UNIVERSITY ASSOCIATES LIMITED PARTNERSHIP REGARDING PROHIBITED USES AND CONSENT REQUIRED FOR CERTAIN TRANSFERS. NOTE: SIMILAR COVENANTS, CONDITIONS AND RESTRICTION CONTAINED IN THE QUIT CLAIM DEED DATED FEBRUARY 14, 2001 AND RECORDED FEBRUARY 14, 2001 AS DOCUMENT 0010121890 FROM CHS 1033 UNIVERSITY ASSOCIATES LIMITED PARTNERSHIP TO 1033 UNIVERSITY LLC, AN ILLINOIS LIMITED LIABILITY COMPANY.

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8. DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND EASEMENTS (BUT OMITTING ANY SUCH COVENANT OR RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN UNLESS AND ONLY TO THE EXTENT THAT SAID COVENANT (A) IS EXEMPT UNDER CHAPTER 42, SECTION 3607 OF THE UNITED STATES CODE OR (B) RELATES TO HANDICAP BUT DOES NOT DISCRIMINATE AGAINST HANDICAPPED PERSONS), FOR NORTHWESTERN UNIVERSITY/EVANSTON RESEARCH PARK RECORDED MARCH 24, 1988 AS DOCUMENT 88122453 REGARDING INTER ALIA, ASSESSMENTS, OPERATION OF THE PARK, COVENANTS AND RESTRICTIONS ON USE, DEVELOPMENT GUIDELINES, MAINTENANCE STANDARDS, COMMON FACILITIES, DURATION, ENFORCEMENT AND EASEMENTS. NOTE: SAID DECLARATION WAS PURPORTEDLY RELEASED BY DOCUMENT 0803533302.

9. EASEMENT IN FAVOR OF CAROLL PLACE, LLC AND 1890 MAPLE, LLC THEIR SUCCESSORS AND ASSIGNS GRANTED BY 1033 UNIVERSITY, LLC IN THE ACCESS EASEMENT AGREEMENT RECORDED APRIL 27, 2007 AS DOCUMENT 0711733064, FOR THE PURPOSE OF PEDESTRIAN AND VEHICULAR PASSAGE, CIRCULATION AND INGRESS AND EGRESS, AND THE TERMS AND PROVISIONS CONTAINED THEREIN.

13. LEASE, EXECUTED BY: THE CITY OF EVANSTON, AS LESSOR, AND 1033 UNIVERSITY LLC, AS LESSEE, DATED FEBRUARY 14, 2001, WHICH LEASE WAS RECORDED FEBRUARY 14, 2001 AS DOCUMENT 0010122159, WHICH LEASE DEMISES 112 UNASSIGNED AND UNRESERVED AUTOMOBILE PARKING SPACES LOCATED ON THE FOLLOWING DESCRIBED LAND FOR A TERM OF YEARS COMMENCING UPON TENANT'S ACQUISITION OF THE PROJECT AND ENDING ON THE EARLIER OF (1) TENANT'S ELECTION, MADE AT ANY TIME AFTER THE 40TH ANNIVERSARY OF THE COMMENCEMENT DATE UPON PROVIDING OTHER PARKING ELSEWHERE FOR THE IMPROVEMENTS WHICH SATISFIES ALL ZONING REQUIREMENTS OF THE CITY OF EVANSTON, OR (2) 99 YEARS AFTER THE COMMENCEMENT DATE.

DeKalb County Clerk's Office

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## EXHIBIT C

### Grantees Tenant in Common Percentage Interests

Tenants in Common	Tenant in Common Percentage Interest
Equitable Evanston, LLC, a Delaware limited liability company	80.99%
Equitable Evanston (H), LLC, a Delaware limited liability company	1%
Equitable Evanston TIC 1, LLC, a Delaware limited liability company	18.01%

Property of Cook County Clerk's Office