

SPECIAL  
WARRANTY DEED  
Statutory (ILLINOIS)

UNOFFICIAL COPY

Doc#: 0831733077 Fee: \$44.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 11/12/2008 11:24 AM Pg: 1 of 5

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8440584

**THE GRANTOR**, EVERGREEN PALMER, LLC, a Delaware limited liability company, c/o Waterton Commercial, 30 S. Wacker Drive, Suite 3600, Chicago, Illinois 60606, for and in consideration of TEN AND 00/100 DOLLARS (\$10.00), and other good and valuable consideration in hand paid, **CONVEYS** EVERGREEN-SCHAUMBURG, LLC, an Illinois limited liability company, of, 4711 W. Golf Road, Suite 1000, Skokie, Illinois 60076, **GRANTEE**, the following described Real Estate situated in the County of Cook in the State of Illinois, to wit:

See Exhibit "A" attached and made a part hereof

Commonly Known As: 2401 N. Palmer Drive, Schaumburg, Illinois 60173

P.I.N: 02-34-300-060 and 02-34-300-061

The Real Estate does not constitute Homestead Property.

**SUBJECT ONLY TO:** (a) the general exclusions contained in the policy; (b) title exceptions set forth on Exhibit "B" attached hereto and made a part hereof (collectively "Permitted Exceptions"); and (c) title exceptions pertaining to liens or encumbrances of a definitive or ascertainable amount caused by the acts or omissions of Grantor which may be removed by payment or money on the date hereof and which Grantor will move at that time using the funds to be paid on the date hereof.

The Grantor warrants to the Grantee that Grantor has not created or permitted to be created any lien, charge or encumbrance against said Real Estate which is not shown among the Permitted Exceptions; and Grantor covenants that it will defend said Real Estate to the extent of the warranties made herein against lawful claims of all persons.

TO HAVE AND TO HOLD said premises forever.

DATED this 29 day of October, 2008.

VILLAGE OF SCHAUMBURG  
REAL ESTATE TRANSFER TAX

14222 10000.00

5hC

BOX 333-CTI

# UNOFFICIAL COPY

Evergreen Palmer, L.L.C.

By: Waterton Tactical Real Estate Fund I, L.L.C.

Its: Manager

By: Waterton Tactical Managers, L.L.C.,

Its: Manager

By: Waterton Commercial Properties, L.L.C.,

Its: Manager

By: \_\_\_\_\_

Its: Manager

STATE OF ILLINOIS )

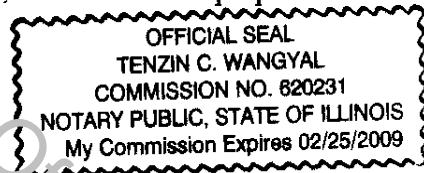
) ss.

COUNTY OF Cook )

The undersigned, a Notary Public, in and for the County, in the State aforesaid, HEREBY CERTIFIES, that Peter M. Vilim, one of the managers of Waterton Commercial Properties, L.L.C., which company is the manager of Waterton Tactical Managers, L.L.C., which company is the managing member of Waterton Tactical Real Estate Fund I, L.L.C., which company is the manager of Evergreen Palmer, L.L.C., a Delaware limited liability company, who is personally known to me to be the same person whose name is subscribed to the foregoing instrument as such manager, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of Evergreen Palmer, L.L.C., a Delaware limited liability company, for the uses and purposes therein set forth.

Given under my hand and official seal this 17 day of October, 2008.

Tenzin C. Wangyal  
Notary Public



This instrument was prepared by:

Gregory F. Smith, Esq.  
Lillig & Thorsness, Ltd.  
1900 Spring Road, Suite 200  
Oak Brook, IL 60523  
(630) 571-1900

**MAIL TO:**

Robert A. Motel, Esq.  
4433 W. Touhy Avenue, Suite 465  
Lincolnwood, Illinois 60712

**SEND SUBSEQUENT TAX BILLS TO:**

Evergreen-Schaumburg, LLC  
c/o A.A.M.S. Corp.  
4711 W. Golf Road, Suite 1000  
Skokie, Illinois 60076

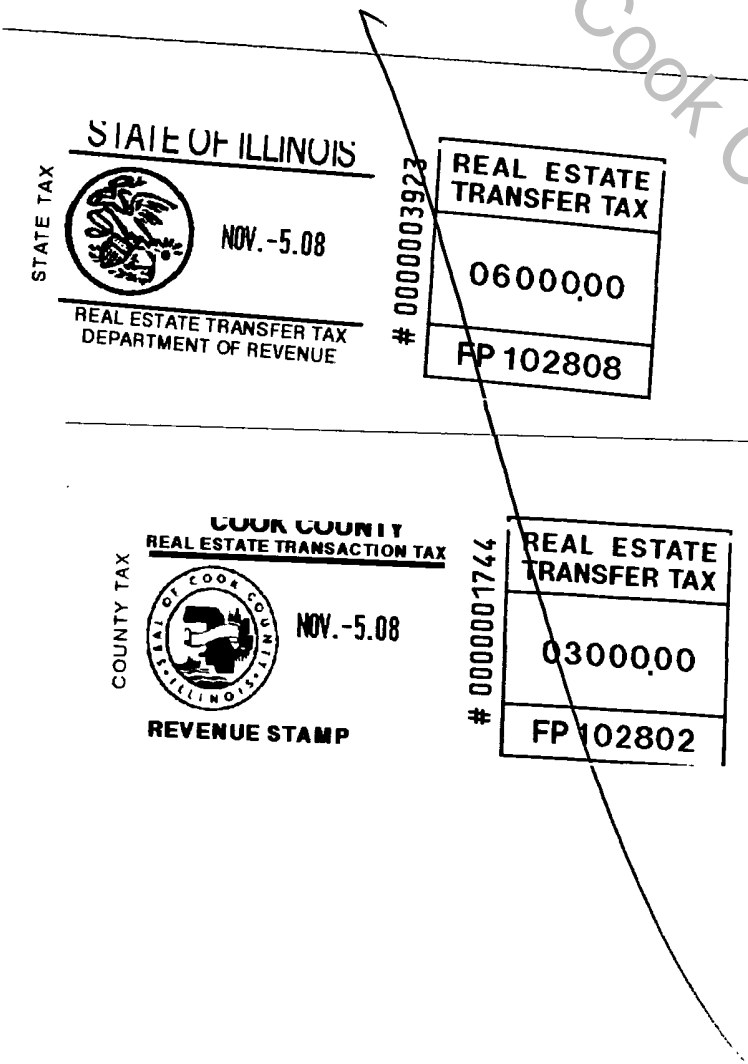
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## EXHIBIT A

### LEGAL DESCRIPTION

LOT 3 OF LAURA'S RESUBDIVISION OF LOT 2 IN TOLLWAY INDUSTRIAL PARK, A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 38, AND PART OF THE WEST 1/2 OF SECTION 34 TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN PALATINE TOWNSHIP, COOK COUNTY, TOGETHER WITH THE SOUTHERLY 390 FEET OF THE WESTERLY 13.42 FEET OF LOT 3, AS MEASURED ALONG THE WESTERLY AND SOUTHERLY LINES RESPECTIVELY THEREOF IN TOLLWAY INDUSTRIAL PARK, BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF SECTION 33 AND PART OF THE WEST 1/2 OF SECTION 34, ALL IN TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN PALATINE TOWNSHIP, COOK COUNTY, ILLINOIS.

Permanent Index Numbers: 02-34-300-060-0000 & 02-34-300-061-0000



Property of Cook County Clerk's Office

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EXHIBIT A

## PERMITTED EXCEPTIONS

- A 8. GENERAL REAL ESTATE TAXES FOR THE YEAR 2008 AND SUBSEQUENT YEARS.
- D 16. EXISTING UNRECORDED LEASES AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEES.
- V 17. LEASE MADE BY EVERGREEN PALMER LLC TO DENALI SPECTRUM OPERATIONS LLC DATED JANUARY 7, 2008 AND RECORDED MARCH 25, 2008 AS DOCUMENT NO. 0808504001, DEMISING THE LAND FOR A TERM OF YEARS BEGINNING JANUARY 21, 2008 AND ENDING JULY 31, 2018, WITH THE OPTION TO EXTEND 4 ADDITIONAL TERMS OF 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.
- F. 20. 35 FOOT BUILDING LINE ALONG THE WESTERLY PORTION OF THE LAND AS SET FORTH ON TOLLWAY INDUSTRIAL PARK SUBDIVISION PLAT RECORDED AS DOCUMENT NUMBER 19834935
- G. 21. A 5 FOOT PUBLIC UTILITIES EASEMENT, DRAINAGE, AND CABLENET EASEMENTS OVER THE SOUTHERLY LINE OF THE LAND AS SET FORTH ON TOLLWAY INDUSTRIAL PARK SUBDIVISION PLAT RECORDED AS DOCUMENT NUMBER 19834935
- H. 22. 10 FOOT PUBLIC UTILITIES EASEMENT AND DRAINAGE AS SHOWN ON PLAT OF THE SUBDIVISION RECORDED MAY 23, 1969 AS DOCUMENT 19834935 ALONG THE EASTERLY LINE OF THE LAND AS FOLLOWS:
- 5 FEET ON CENTER FROM EASTERLY LINE OF LOT 2 (NOW KNOWN AS LOT 3 OF LAURA'S RESUBDIVISION) AND ALONG THE WESTERLY LINE OF LOT 3 OF TOLLWAYS SUBDIVISION
- I. 23. COVENANTS AND RESTRICTIONS CONTAINED IN DEED RECORDED AUGUST 19, 1969 AS DOCUMENT 20934621 RELATING TO CONSTRUCTION OF MATERIALS, STORAGE LOCATION OF SIGNS, PARKING AREAS ETC.
- J. 24. RESERVATION IN GRANTOR DEED RECORDED AUGUST 19, 1969 AS DOCUMENT 20934621, CHICAGO TITLE AND TRUST COMPANY, CORPORATION OF ILLINOIS, AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 21, 1963 AND KNOWN AS TRUST NUMBER 45332 TO REYNOLDS PRODUCTS INC., EASEMENTS FOR INSTALLATION, REPAIR AND MAINTENANCE OF UTILITY FACILITIES AND FOR INGRESS AND EGRESS OVER, UNDER AND ACROSS:
- (A) NORTHWESTERLY 15 FEET OF THE LAND (WITHIN THE BUILDING LINE SETBACK) EXTENDED ALONG THE WESTERLY LINE OF THE LAND
- (B) NORTHERLY 10 FEET OF THE LAND EXTENDED ALONG THE NORTHERLY LINE OF THE LAND

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- K. 25. RIGHTS OF THE PUBLIC OR QUASI PUBLIC UTILITIES AS DISCLOSED BY SURVEY MADE BY COMPASS SURVEYING LTD. DATED AUGUST 12, 2008 AS ORDER NUMBER 9018.05; DEPICTING THE FOLLOWING:
- POWER TRANSFORMER, CATCH BASIN, STORM SEWER AND SANITARY SEWER (SOUTH OF THE BUILDING)  
ILLINOIS BELL TELEPHONE (WEST LINE OF THE LAND)  
STORM SEWERS AND SANITARY MANHOLES (ALONG THE NORTH LINE AND NORTHWESTERLY LINE OF THE LAND)  
GAS SERVICE LINES ALONG THE NORTH LINE OF THE LAND AND ONTO THE PROPERTY NORTH AND ADJOINING)  
MANHOLES ALONG THE NORTH LINE OF THE LAND
- L. 26. RIGHTS OF COMMONWEALTH EDISON IN AND TO THE FACILITIES ON THE LAND AS DISCLOSED BY A UTILITY LETTER EXECUTED BY ROBERT SLAVIK DATED MARCH 27, 1997 AND DISCLOSING AN UNRECORDED ELECTRIC SERVICE STATION AGREEMENT DATED NOVEMBER 24, 1969.
- M. 27. ENCROACHMENT OF THE BUILDING LOCATED ON THE LAND ONTO THE PUBLIC UTILITY EASEMENT LOCATED ALONG THE NORTH EASTERLY LINE BY RANGING FROM 3.42 FEET TO 3.57 FEET OF THE LAND AND NOTED HEREIN AT LETTER H AS SHOWN ON PLAT OF SURVEY MADE BY COMPASS LAND SURVEYING LTD. DATED AUGUST 12, 2008 AS ORDER NUMBER 9018.05.
- N. 28. VIOLATION OF THE RESTRICTION ABOVE AT EXCEPTION REFERENCED AT LETTER I BY THE EXISTENCE OF A SIGN LOCATED WITHIN 15 FEET OF THE WESTERLY LINE OF THE LAND AS SHOWN ON PLAT OF SURVEY MADE BY COMPASS SURVEYING LTD. DATED AUGUST 12, 2008 AS ORDER NUMBER 9018.05
- Y. 29. ENCROACHMENT OF THE BACK OF THE CURB LOCATED MAINLY ON THE LAND AND ONTO THE PROPERTY SOUTHWESTERLY AND ADJOINING BY 0.06 FEET TO 0.26 FEET SOUTHERLY, AS DISCLOSED BY SURVEY DATED AUGUST 12, 2008, PROJECT NO. 9018.05, AS PREPARED BY COMPASS SURVEYING LTD.