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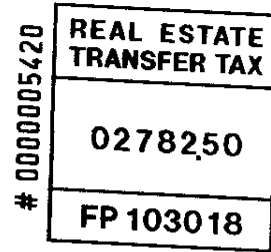
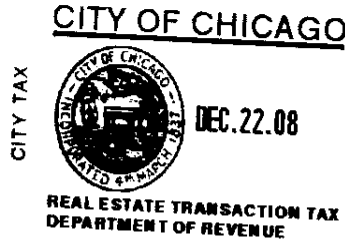
Doc#: 0836447004 Fee: \$42.00  
Eugene "Gene" Moore RHSP Fee:\$10.00  
Cook County Recorder of Deeds  
Date: 12/29/2008 08:12 AM Pg: 1 of 4

THIS INSTRUMENT PREPARED  
BY:

Brian Meltzer  
MELTZER, PURTILL & STELLE LLC  
1515 East Woodfield Road  
Second Floor  
Schaumburg, Illinois 60173-5431

4388279 1583

Property of  
GIT (12/19)



**SPECIAL WARRANTY DEED  
and  
PARTIAL ASSIGNMENT OF GROUND LEASE**

This Special Warranty Deed and Partial Assignment of Ground Lease (the "Deed and Assignment"), made this November 3, 2008, between Parkside Old Town I, LLC, a limited liability company created and existing under and by virtue of the laws of the State of Illinois and duly authorized to transact business in the State of Illinois ("Grantor"), and John Otterbacher, Darcy Maxim-Otterbacher ("Grantee"), WITNESSETH, that Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, by these presents does REMISE, RELEASE, ALIEN, ASSIGN AND CONVEY unto the Grantee, Joint Tenants and to Grantee's heirs 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:

*See Exhibit A attached hereto.*

*[Note: There were no tenants in this unit as this is new construction.]*

Together with all and singular the hereditaments and appurtenances thereunto 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 Grantor, either in law or equity, of, in and to the above described premises, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto Grantee and Grantee's heirs and assigns forever.

Grantor also hereby grants to Grantee, its successors and assigns, as rights and easements appurtenant to the above described premises, the rights and easements for the benefit of said property set forth in the Declaration (as defined below), and Grantor reserves to itself, its successors and assigns, the rights and easements set forth in the Declaration for the benefit of the remaining property described therein.

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This Deed and Assignment is subject to all rights, easements, covenants, conditions, restrictions and reservations contained in the Declaration and Ground Lease the same as though the provisions of the Declaration and Ground Lease were recited and stipulated at length herein.

And Grantor, for itself, and its successors, does covenant, promise and agree, to and with Grantee and Grantee's heirs 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 encumbered or charged, except as herein recited; and that it WILL WARRANT AND DEFEND the said premises against all persons lawfully claiming, or to claim the same, by, through or under it, subject only to:

- (a) General real estate taxes for the current year not yet due and for subsequent years;
- (b) Special taxes or assessments for improvements not yet completed;
- (c) Easements, covenants, restrictions, agreements, conditions and building lines of record and party wall rights;
- (d) The Declaration of Condominium Ownership for Parkside of Old Town Midrise Leasehold Condominium, including all Exhibits thereto, as amended from time to time (the "Declaration");
- (e) The Illinois Condominium Property Act;
- (f) Applicable zoning and building laws and ordinances;
- (g) Roads and highways, if any;
- (h) Unrecorded public utility easements, if any;
- (i) Grantee's mortgage, if any;
- (j) Plats of dedication and covenants thereof;
- (k) Acts done or suffered by Grantee, or anyone claiming under Grantee; and
- (l) The Ground Lease for a portion of Parkside Phase I Development recorded October 13, 2006 as document number 0628602043, including all Exhibits and any assignments or amendments thereto (the "Ground Lease");
- (m) The Open Space/Common Areas Ground Lease for a portion of Parkside Phase I Development recorded October 13, 2006 as document number 0628602045, the Amendment to Open Space/Common Areas Ground Lease recorded November 6, 2006 as document number 0631045059 including all exhibits and any assignments or amendments thereto (the "Open Space Ground Lease"); and
- (n) The Community Declaration for Parkside of Old Town, recorded on October 5, 2007 as document number 0727815136, including all exhibits thereto, as amended from time to time (the "Community Declaration").

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Permanent Real Estate Index Number(s): 17-04-305-031 and 17-04-307-030, VOL. 498

Address(es) of real estate: 437 West Division, Unit 03-609, Chicago, Illinois 60610

IN WITNESS WHEREOF, said Grantor has caused its name to be signed to these presents on the day and year first above written.

GRANTOR: PARKSIDE OLD TOWN I, LLC,  
an Illinois limited liability company

By: Parkside Associates, LLC, an Illinois limited liability company, its managing member

By: Holsten Real Estate Development Corporation, an Illinois corporation, its member

By: *Peter M. Holsten*  
Peter M. Holsten, its President

STATE OF ILLINOIS )  
COUNTY OF Cook ) SS

I, the undersigned, a Notary Public in and for said County and State, do hereby certify that Peter M. Holsten, the President of Holsten Real Estate Development Corporation, a member of Parkside Associates, LLC, the managing member of Parkside Old Town I, LLC, an Illinois limited liability company (the "Company") appeared before me this day in person and acknowledged that he/she signed, sealed and delivered this instrument as his/her free and voluntary act, and as the free and voluntary act of the Company for the uses and purposes therein set forth.

GIVEN under my hand and Notarial Seal this 3 day of November, 2008.



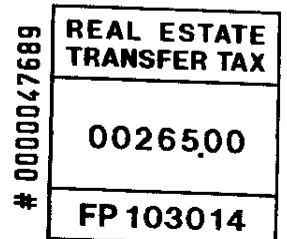
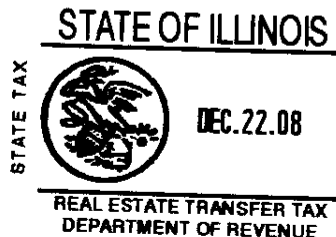
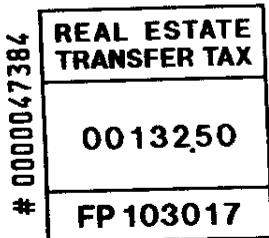
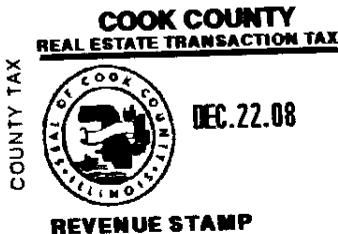
*Laura Sax*  
Notary Public

MAIL TO:

*Matthew R. Gallagher*  
1800 W. Berenice Ste 200  
Chicago IL 60613

SEND SUBSEQUENT TAX BILLS TO:

*John Ottebacher + Darcy Maen*  
511 W. Division # 609  
Chicago IL 60610  
(NAME)  
(ADDRESS)  
(CITY, STATE AND ZIP)



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## EXHIBIT A

### PARCEL 1:

UNIT NO.03-609 and GARAGE UNIT NO P03-12, IN THE PARKSIDE OF OLD TOWN MIDRISE LEASEHOLD CONDOMINIUM, AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED TRACT OF LAND:

CERTAIN LOTS IN PARKSIDE OF OLD TOWN BEING A RESUBDIVISION AND CONSOLIDATION OF PARTS OF BLOCKS 2 AND 3, AND ALL OF BLOCKS 4 AND 5, AND PARTS OF VACATED ALLEYS LYING WITHIN BLOCK 2 AFORESAID, AND VACATED ALLEYS LYING WITHIN BLOCKS 3, 4 AND 5 AFORESAID, TOGETHER WITH THAT PART OF VACATED ELM STREET LYING SOUTH OF AND ADJOINING BLOCKS 2, 3 AND 5 AFORESAID, AND LYING NORTH OF AND ADJOINING BLOCKS 9, 7 AND 6, AND THAT PART OF VACATED NORTH HUDSON AVENUE LYING WEST OF AND ADJOINING BLOCK 2 AFORESAID, AND LYING EAST OF AND ADJOINING BLOCK 3 AFORESAID, AND LYING NORTH OF THE SOUTH LINE OF WEST ELM STREET, AND LYING SOUTH OF THE SOUTH LINE OF WEST DIVISION STREET AS WIDENED, ALL IN ROGERS' SUBDIVISION OF THAT PART WEST OF THE EAST LINE OF SEDGWICK STREET OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

WHICH SURVEY IS ATTACHED AS EXHIBIT "C" TO THE DECLARATION OF CONDOMINIUM OWNERSHIP FOR PARKSIDE OF OLD TOWN MIDRISE LEASEHOLD CONDOMINIUM RECORDED AS DOCUMENT NO. 0818745111 (THE "DECLARATION"), TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

### PARCEL 2:

A LEASEHOLD ESTATE CREATED BY GROUND LEASE FOR A PORTION OF THE PARKSIDE PHASE I DEVELOPMENT BETWEEN CHICAGO HOUSING AUTHORITY, LANDLORD, AND PARKSIDE OLD TOWN I, LLC, TENANT RECORDED OCTOBER 13, 2006 AS DOCUMENT NUMBER 0628602043 FOR A TERM OF NINETY-NINE YEARS COMMENCING ON SEPTEMBER 1, 2006; PARTIALLY ASSIGNED IN THE AMOUNT OF GRANTEE'S UNDIVIDED INTEREST HEREIN TO GRANTEE PURSUANT TO THE "UNIT LEASE ASSIGNMENT" AS DEFINED IN SECTION 6.3 OF THE GROUND LEASE OVER THE PROPERTY DESCRIBED ABOVE AS PARCEL 1.

### PARCEL 3:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCELS 1 AND 2 FOR INGRESS AND EGRESS OVER THE COMMUNITY AREA FOR ACCESS, INGRESS AND EGRESS TO AND FROM PARCELS 1 AND 2 OVER THE COMMUNITY AREA AS CREATED BY SECTION 2.04 OF THE COMMUNITY DECLARATION RECORDED OCTOBER 5 2007 AS DOCUMENT NUMBER 0727815136 AND CREATED BY THIS SPECIAL WARRANTY DEED.

Grantor also hereby grants to Grantee, its successors and assigns, as rights and easements appurtenant to the above described real estate, the rights and easements for the benefit of said property set forth in the Declaration, and Grantor reserves to itself, its successors and assigns, the rights and easements set forth in the Declaration for the benefit of the remaining property described therein.

This Deed and Assignment is subject to all rights, easements, covenants, conditions, restrictions and reservations contained in the Declaration and Ground Lease the same as though the provisions of the Declaration and Ground Lease were recited and stipulated at length herein.