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SPECIAL WARRANTY DEED

(ILLINOIS)

THIS INDENTURE made this 21st day of ~~January~~ 2009 between **Sun Capitol, LLC**, an Illinois limited liability company, 1400 E. Southern Avenue, Suite 225, Tempe, AZ 85282, organized 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business in the State of Illinois, as Grantor, and **Sandra B. Moscone, Trustee of the Trust of Sandra B. Moscone (Rescinded 04/19-2006)**, as to a 3.51% undivided interest, as Grantee



Doc#: 0911931031 Fee: \$42.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 04/29/2009 01:04 PM Pg: 1 of 4

WITNESSETH, the Grantor, in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto the Grantee and to the Grantee's heirs and assigns, FOREVER, all of the following described real estate, situated in the County of Cook and State of Illinois known and described as follows, to wit:

Legal Description Attached Hereto as Exhibit A

PIN: 03-14-407-006-0000

COMMON ADDRESS: 5110-6360 Capitol Drive, Wheeling, Illinois 60090

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

And the Grantor, for itself and its successors and assigns, 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 the said premises hereby granted are, or may be in any manner encumbered or charged, except as herein recited; and that said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, WILL WARRANT AND DEFEND, subject to those exceptions set forth on Exhibit B attached hereto and made a part hereof.

TO HAVE AND TO HOLD the same unto said Grantee, and to the proper use, benefit and behalf, forever, of said Grantee.

IN WITNESS WHEREOF, Grantor has caused its name to be signed the date and year first above written.

First American Title Order #361098-012
LK 1 of 5 DEL

SUN CAPITOL, LLC,
an Illinois limited liability company

By: [Signature]
Shawn Coleman, Manager

C. J.
4

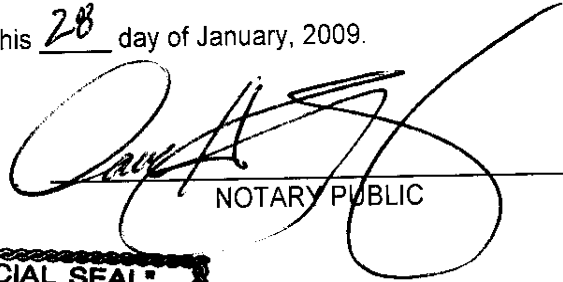
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STATE OF ARIZONA)
) SS
COUNTY OF MARICOPA)

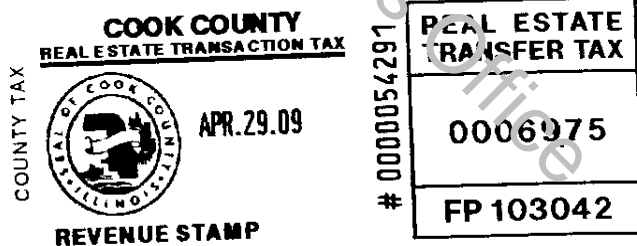
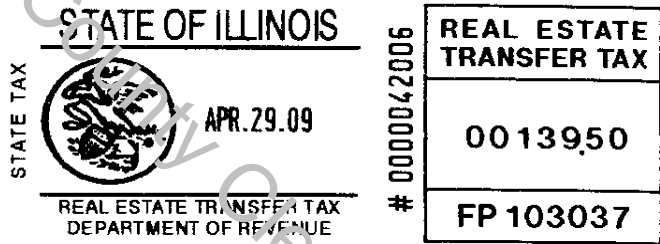
I, David Herzog, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that SHAWN COLEMAN, Manager of SUN CAPITOL, LLC, an Illinois limited liability company, Grantor, personally known to be the same person whose name is subscribed to the foregoing instrument appeared before me this day in person and acknowledged that he signed and delivered the said instrument as a free and voluntary act, and as the free and voluntary act of said Grantor, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 28 day of January, 2009.

Commission expires:



NOTARY PUBLIC



THIS INSTRUMENT WAS PREPARED BY: Alpha Title Agency, Inc., 3522 Old Milton Parkway, Alpharetta, GA 30005

Mail to:
Alpha Title Agency, Inc.
3522 Old Milton Parkway
Alpharetta, GA 30005
File No. C08-07-002N

Name and Address of Taxpayer:
Sandra B. Moscone, Trustee of the Trust of
Sandra B. Moscone (Restated 04/19/2006)
c/o Grubb & Ellis Management Services, Inc.
500 West Monroe Street, Suite 2800
Chicago, IL 60661
Attn: Director of Management Services

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Exhibit A

5110-6360 Capitol Drive, Wheeling, Illinois 60090
PIN: 03-14-407-006-0000

Lot 1 in Fresh-N-Go Subdivision being a subdivision in the southeast quarter of Section 14, Township 42 North, Range 11 East of the Third Principal Meridian according to the plat thereof recorded May 7, 2002, as Document Number 0020519803 in Cook County, Illinois.

Property of Cook County Clerk's Office

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Exhibit B

Permitted Exceptions

1. General taxes for the year 2008 and subsequent years.
2. Building lines as shown on the plat of subdivision recorded as document 0020519803.
3. Sanitary Sewer Easement as contained in the Plat of Freed & Grais Subdivision recorded as Document 87003341, and the Plat of Subdivision of Fresh-N-Go Subdivision recorded as Document 0020519803.
4. Water Main Easement as contained in the Plat of Freed & Grais Subdivision recorded as Document 87003341, and the Plat of Subdivision of Fresh-N-Go Subdivision recorded as Document 0020519803.
5. Blanket easement in favor of the Village of Wheeling to maintain, repair and replace storm water drainage lines and sanitary sewer and potable water transmission lines and related facilities, as contained in Grant recorded as Document 87545880, as partially vacated by Resolution recorded as Document 99622581, and further disclosed by Plat of Fresh-N-Go Subdivision recorded as Document 0020519803.
6. Easement in favor of the Village of Wheeling to maintain, repair and replace storm water drainage lines and sanitary sewer and potable water transmission lines and related equipment and facilities, as contained in Grant recorded as Document 87003342.
7. Notation on the Plat of Subdivision of Fresh-N-Go Subdivision recorded as document 0020519803, as follows:

Detention, retention and drainage facilities shall be maintained by a land owner's association created pursuant to recorded Declaration of Protective Covenants recorded as Document 97339604.
8. Easement in favor of Commonwealth Edison Company for pole lines, conduits and maintenance purposes granted by Document 00305074, recorded on May 2, 2000.
9. Covenants, conditions and restrictions contained in Declaration of Protective Covenants for Capitol Commerce Center recorded May 14, 1997 as Document 97339604.

First Amendment to Declaration of Protective Covenants for Capitol Commerce Center recorded December 15, 1997 as Document 97940242.

Second Amendment to Declaration of Protective Covenants for Capitol Commerce Center recorded July 3, 2002 as Document 0020738304.
10. Mortgage, Assignment of Rents and Leases and Financing Statement from Sun Capitol, LLC to Home National Bank dated October 21, 2008, filed October 29, 2008, as document number 0830329059, in the original principal amount of \$3,965,000.00.