



Doc#: 1017241339 Fee: \$50.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 06/21/2010 03:28 PM Pg: 1 of 8

**This document prepared by:**

Troutman Sanders LLP  
600 Peachtree Street, Suite 2200  
Atlanta, Georgia 30308  
Attn: John E. Buehner, Esq.

MAIL TAX BILLS TO:  
After recording return to:

Selene Finance LP  
9990 Richmond Avenue  
Suite 100  
Houston, TX 77042  
Attn: Danny Smith

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED**, made this 14th day of January, 2010, and delivered and effective as of that same day, between **TAYLOR, BEAN & WHITAKER MORTGAGE CORP.**, a Florida corporation, Debtor in Possession pursuant to Chap. 11 Bankruptcy Case No. 3:09-bk-07047-JAF in the United States Bankruptcy Court, Middle District of Florida, Jacksonville Division, having an office at 315 N.E. 14th St., Ocala, FL 34470 ("**Grantor**"), and **SELENE RMOF REO ACQUISITION II LLC**, a Delaware limited liability company, having an office at 650 Madison Avenue, 19<sup>th</sup> Floor, New York, NY 10022 ("**Grantee**").

**WITNESSETH** that Grantor, in consideration of the sum of **Ten Dollars (\$10.00)** and other good and valuable consideration paid, the receipt of which are hereby acknowledged, does **SELL AND CONVEY** unto Grantee, its successors and assigns:

**ALL THAT CERTAIN** tract, parcel or piece of land situate in the County of **COOK**, State of Illinois, more fully described in **Exhibit "A"** attached hereto and incorporated herein by this reference (the "**Property**").

**SUBJECT TO** those permitted encumbrances shown on **Exhibit "B"** attached hereto and incorporated herein by this reference.

1st MORTGAGE order # 2062889

1/4

# UNOFFICIAL COPY

Property of Cook County's Office

STATE OF ILLINOIS JUN. 15. 10 STATE TAX REAL ESTATE TRANSFER TAX DEPARTMENT OF REVENUE	BEZJ0007238 # 000007238	REAL ESTATE TRANSFER TAX 00036.00 FP 103027
COOK COUNTY JUN. 15. 10 COUNTY TAX REAL ESTATE TRANSACTION TAX REVENUE STAMP	000007246 # 000007246	REAL ESTATE TRANSFER TAX 00343.00 FP 103028
CITY OF CHICAGO JUN. 15. 10 CITY TAX REAL ESTATE TRANSACTION TAX DEPARTMENT OF REVENUE	000070255 # 000070255	REAL ESTATE TRANSFER TAX 00903.00 FP 102812

# UNOFFICIAL COPY

**TO HAVE AND TO HOLD** the Property aforesaid with all and singular, the rights, privileges, appurtenances and immunities thereto belonging or in any wise appertaining unto Grantee, its successors and assigns forever; Grantor hereby covenants that the said Property are free and clear from any encumbrance made or suffered by Grantor other than those permitted encumbrances described on **Exhibit "B"**; and that it will **WARRANT** and forever **DEFEND** the right and title to the Property unto Grantee against the lawful claims of all persons owning, holding or claiming by, through, or under Grantor, but not otherwise.

By accepting this deed, Grantee expressly acknowledges and agrees that, except for the limited warranties of title set forth in this deed, neither Grantor nor any of its parent, officers, directors, employees, agents, representatives or attorneys (together with Grantor, the "Grantor Parties") has made any guaranties, promises, statements, assurances, representations or warranties, express or implied, to Grantee including, without limitation, any pertaining to the status of title to the Property, the suitability of the Property for any purpose, the profitability of owning or operating the Property, the physical or environmental condition thereof, the suitability, habitability or merchantability or fitness of the Property for Grantee's intended use or for any use whatsoever, the rental income or expenses thereof, the net or gross acreage contained therein, the zoning thereof, the existence or satisfaction of any local, state or federal approvals or permits for the development or use thereof, the availability or existence of water, sewer or other utilities, the existence or nonexistence of any hazardous substances or materials in, on or under the Property, or as to any other past, present or future matter whatsoever. Grantee has made such independent investigations and engaged in such other due diligence as it deems to be warranted into the physical condition, title, nature, validity, enforceability, collectability and value of the Property, and all other facts Grantee deems material for its purchase of the Property, and Grantee is entering into this transaction solely on the basis of that investigation and Grantee's own judgment. Grantee acknowledges that it has not relied, and is not relying, upon any information, document, sales brochures or other literature, maps, sketches, drawings, plans, projection, pro forma, statement, representation, guarantee or warranty (whether express or implied, oral or written, material or immaterial) that may have been given by or made by or on behalf of Grantor or any of the Grantor Parties.

**GRANTEE ACKNOWLEDGES AND AGREES THAT IT HAS SATISFIED ITSELF REGARDING THE CONDITION OF THE PROPERTY, AND THAT THE PROPERTY IS BEING ACQUIRED "AS IS AND WITH ALL FAULTS." BY ACCEPTANCE OF THIS DEED, GRANTEE HEREBY ASSUMES THE RESPONSIBILITY AND RISK OF ALL DEFECTS TO AND CONDITIONS OF THE PROPERTY, INCLUDING ANY SUCH DEFECTS AND CONDITIONS THAT CANNOT BE OBSERVED BY CASUAL INSPECTION. GRANTEE HEREBY RELEASES THE GRANTOR PARTIES FROM ANY AND ALL AMOUNTS, ACTIONS, DEMANDS, CLAIMS, COSTS, EXPENSES, DAMAGES AND LIABILITIES (INCLUDING, WITHOUT LIMITATION, REASONABLE ATTORNEYS' FEES AND COSTS) (COLLECTIVELY, THE "RELEASED LIABILITIES") RELATING TO OR ARISING FROM THE CONDITION OR STATUS OF, OR ANY OTHER MATTER IN ANY WAY PERTAINING TO, THE PROPERTY, WHETHER SUCH RELEASED LIABILITIES ARE KNOWN OR UNKNOWN, FORESEEN OR UNFORESEEN, PATENT OR LATENT.**

# UNOFFICIAL COPY

This deed is given pursuant to one or more orders issued pursuant to Section 363 of the Bankruptcy Code in United States Bankruptcy Court, Middle District of Florida, Jacksonville Division, in Case No. 3:09-bk-07047-JAF.


[Signatures appear on following page.]

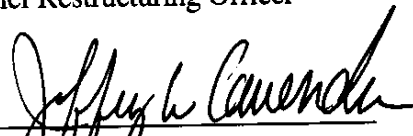
Property of Cook County Clerk's Office

# UNOFFICIAL COPY

IN WITNESS WHEREOF, Grantor has set its hand unto this Special Warranty Deed the day and year written below.

**TAYLOR, BEAN & WHITAKER MORTGAGE CORP.**, a Florida corporation

By:   
Neil Luria  
Chief Restructuring Officer

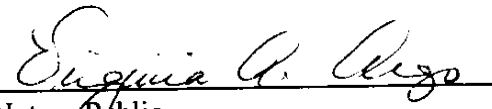
Attest:   
Jeff Cavender  
Assistant Secretary

[CORPORATE SEAL]

STATE OF FLORIDA        )  
  ) SS.  
COUNTY OF MARION     )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Neil Luria, personally known to me to be the Chief Restructuring Officer of Taylor, Bean & Whitaker Mortgage Corp., a Florida corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Chief Restructuring Officer, she/he signed and delivered said instrument as Chief Restructuring Officer of said corporation, pursuant to authority given by the Board of Directors of said corporation as his/her free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 14th day of January, 2010.

  
Notary Public

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



[Acknowledgement appears on following page.]

# UNOFFICIAL COPY

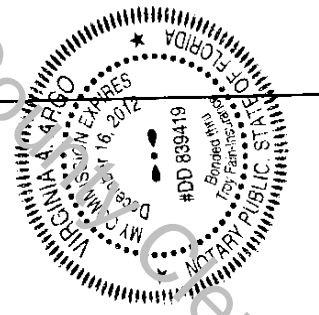
STATE OF FLORIDA        )  
  ) SS.  
COUNTY OF MARION     )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Jeff Cavender, personally known to me to be the Assistant Secretary of Taylor, Bean & Whitaker Mortgage Corp., a Florida corporation, and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Assistant Secretary, he signed and delivered said instrument as Assistant Secretary of said corporation, pursuant to authority given by the Board of Directors of said corporation as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 14th day of January, 2010.

*Suzanna A. Wego*  
\_\_\_\_\_  
Notary Public

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



# UNOFFICIAL COPY

## EXHIBIT A

### LEGAL DESCRIPTION

PARCEL 1: UNIT 2 TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS IN THE 534 NORTH PAULINA CONDOMINIUM, AS DELINEATED AND DEFINED IN THE DECLARATION RECORDED AS DOCUMENT NUMBER 0403744086, IN SECTION 7, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS. PARCEL 2: THE EXCLUSIVE RIGHT TO THE USE OF P4 AND S-2, LIMITED COMMON ELEMENTS AS DELINEATED ON THE SURVEY ATTACHED TO THE DECLARATION AFORESAID RECORDED AS DOCUMENT NUMBER 0403744086.

17-07-222-029-1002 534 N. Paulina STREET Unit 2  
CHICAGO IL 60622

# UNOFFICIAL COPY

## EXHIBIT B

### PERMITTED EXCEPTIONS

The conveyance and foregoing warranty of title are expressly subject to (i) any liens, conditions, restrictions, reservations and easements affecting the Property that are contained in duly recorded deeds, plats and other instruments constituting constructive notice in the chain of title that may have not expired by a time limitation contained therein or otherwise become ineffective, (ii) any taxes or assessments to be paid by Grantor or Grantee that are to be prorated for the year of closing as set forth herein or that are not yet due and payable, (iii) any standard printed exceptions in title insurance commitments, (iv) rights of all tenants or persons in possession of the Property, (v) any unrecorded claims for liabilities and/or encumbrances for labor and material furnished for improvements on the Property, (vi) all building and zoning ordinances, regulations and conditions, and (vii) all matters that would be revealed by a current and accurate survey of the Property.