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8502664 D-1 JP



Doc#: 1018822093 Fee: \$46.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 07/07/2010 01:09 PM Pg: 1 of 6

AFTER RECORDING RETURN TO:
Chicago Title Insurance Company
2001 Bryan Street, Suite 1700
Dallas, Texas 75201
Attention: Ellen Schwab

THIS INSTRUMENT WAS PREPARED BY:
Friedlander Mislner, PLLC
1101 17th Street, NW, Suite 700
Washington, D.C. 20036

Permanent Real Estate Tax Index Number:
06-25-209-002-0000

MAIL TAX STATEMENTS TO:
901 Phoenix Lake Investors, LLC
c/o High Street Equity Advisors
53 State Street, 38th Floor
Boston, Massachusetts 02109

SPECIAL WARRANTY DEED

THE STATE OF ILLINOIS
COUNTY OF COOK

§
§
§ KNOW ALL MEN BY THESE PRESENTS:

THAT THE REALTY ASSOCIATES FUND VIII, L.P., a Delaware limited partnership ("Grantor"), for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid to Grantor by 901 PHOENIX LAKE INVESTORS, LLC, a Delaware limited liability company ("Grantee"), whose mailing address is c/o High Street Equity Advisors, 53 State Street, 38th Floor, Boston, Massachusetts 02109, the receipt and sufficiency of such consideration being hereby acknowledged, has GRANTED, SOLD AND CONVEYED, and by these presents does GRANT, SELL AND CONVEY unto Grantee that certain real property being more particularly described in Exhibit A attached hereto and made a part hereof for all purposes, together with all improvements, structures and fixtures situated thereon (collectively, the "Property"); subject, however, to those matters more particularly described in Exhibit B attached hereto and made a part hereof for all purposes (collectively, the "Permitted Exceptions").

TO HAVE AND TO HOLD the Property, together with all and singular the rights, and appurtenances thereto in anywise belonging, unto Grantee, its successors and assigns forever, subject to the Permitted Exceptions; and Grantor does hereby bind itself and its successors to WARRANT AND FOREVER DEFEND all and singular the Property, subject to the Permitted Exceptions, unto Grantee, its successors and assigns, against every person whomsoever lawfully claiming, or claim the same, or any part thereof, by, through, or under Grantor, but not otherwise.

VILLAGE OF STREAMWOOD
REAL ESTATE TRANSFER TAX
034385 \$11,850.00
VJ

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IN WITNESS WHEREOF, this instrument has been executed as of (but not necessarily on) this 1st day of July, 2010.

GRANTOR:

THE REALTY ASSOCIATES FUND VIII, L.P., a Delaware limited partnership

By: Realty Associates Fund VIII LLC,
a Massachusetts limited liability company,
General Partner

By: Realty Associates Advisors LLC,
a Delaware limited liability company,
Manager

By: Realty Associates Advisors Trust,
a Massachusetts business trust,
Manager

By: [Signature]
Its: _____
[Officer]

Property of Cook County Clerk's Office

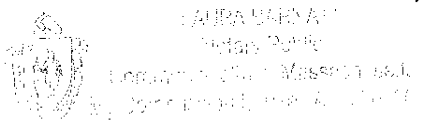
COMMONWEALTH OF MASSACHUSETTS §
§
COUNTY OF SUFFOLK §

I, Laura Barnett, a Notary Public in and for said County in the Commonwealth aforesaid, do hereby certify that James Raisides the Sr. VP of Realty Associates Advisors Trust, manager of Realty Associates Advisors LLC, Manager of Realty Associates Fund VIII LLC, general partner of The Realty Associates Fund VIII, L.P. (the "Grantor") in the foregoing and annexed Special Warranty Deed bearing date as of the 30th day of June, 2010, who, being by me first duly sworn, acknowledged said instrument to be the act and deed thereof, and that by virtue of the authority conferred upon him or her, executed and delivered the same as such for the purposes therein contained.

WITNESS my hand and official seal this 30 day of June, 2010.

My Commission Expires: 4/30/15

[Signature]
Notary Public



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EXHIBIT A

LEGAL DESCRIPTION

PROPERTY ADDRESS:


901 PHOENIX LAKE AVENUE, STREAMWOOD, ILLINOIS

ALL OF LOT 2 IN PHOENIX LAKE BUSINESS PARK, BEING A RESUBDIVISION OF OUTLOTS "A," "B" AND "C" IN THE STREAMWOOD BUSINESS CENTRE SUBDIVISION PHASE 2, BEING A SUBDIVISION IN PART OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 41 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 19, 2001 AS DOCUMENT 0011204741 AND CERTIFICATE OF CORRECTION RECORDED MAY 15, 2002 AS DOCUMENT NO. 0020555190, IN COOK COUNTY, ILLINOIS.

PIN: 06-25-209-002-0000

COOK COUNTY
REAL ESTATE TRANSACTION TAX

COUNTY TAX



JUL.-7.10


REVENUE STAMP

0000068994

REAL ESTATE TRANSFER TAX
01975.00
FP 103042

STATE OF ILLINOIS

STATE TAX



JUL.-7.10

REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE

0000058701

REAL ESTATE TRANSFER TAX
03950.00
FP 103037

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EXHIBIT B

PERMITTED EXCEPTIONS

PROPERTY ADDRESS:

901 PHOENIX LAKE DRIVE, STREAMWOOD, ILLINOIS

1. REAL ESTATE TAXES FOR THE YEARS SECOND INSTALLMENT 2009 AND 2010, A LIFN NOT YET DUE AND PAYABLE.
2. THE LAND LIES WITHIN THE BOUNDARIES OF A SPECIAL SERVICE AREA AS DISCLOSED BY AN ORDINANCE RECORDED AS DOCUMENT 0021038380, AND IS SUBJECT TO ADDITIONAL TAXES UNDER THE TERMS OF SAID ORDINANCE AND SUBSEQUENT RELATED ORDINANCES.

ANY TAX DUE IS INCLUDED IN THE REAL ESTATE TAX BILL. ANY ADDITIONAL TAXES ARE CURRENT AND NONE ARE DUE OR PAYABLE.
3. EXISTING UNRECORDED LEASES AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON CLAIMING BY, THROUGH OR UNDER THE LESSEES; SUCH RIGHTS BEING FOR OCCUPANCY ONLY, WITH NO RIGHTS OR OPTIONS TO PURCHASE.
4. TERMS AND PROVISIONS OF THE RESTRICTIVE COVENANT RECORDED JULY 1, 1994 AS DOCUMENT 94579086 BY PARKWAY BANK AND TRUST COMPANY AS TRUSTEE UNDER TRUST AGREEMENT DATED FEBRUARY 13, 1987 AND KNOWN AS TRUST NUMBER 8167 COVENANTING AND AGREEING THAT IT WILL NOT CONSTRUCT, LEASE, OR OPERATE ON THE PROPERTY DESCRIBED THEREIN A MOTION PICTURE THEATRE COMPLEX, AND IT WILL NOT USE THE PROPERTY DESCRIBED THEREIN FOR THE COMMERCIAL EXHIBITION OF MOTION PICTURES; SAID COVENANTS SHALL RUN WITH THE LAND SUBJECT TO PROVISIONS CONTAINED THEREIN.
(AFFECTS LAND AND OTHER PROPERTY NOT NOW IN QUESTION)
5. COVENANTS AND RESTRICTIONS (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), RELATING TO ZONING; APPROVAL OF PLANS; IMPROVEMENT GUIDELINES; UNDERGROUND UTILITIES; LOT LANDSCAPE PLAN; LOADING DOCKS;

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CONSTRUCTION PERIOD; MAINTENANCE; SIGNS; SHIPPING AND RECEIVING BY TRUCK; OUTSIDE STORAGE; SPECIAL OPERATIONS OR USES; ABANDONMENT; WETLAND AND WETLAND BUFFER ZONES; DAMAGE TO WETLANDS AND WETLAND BUFFER ZONES; USE; CONFORMITY WITH GOVERNMENTAL REGULATIONS; PHEONIX LAKE BUSINESS PARK ASSOCIATION; ASSOCIATION ASSESSMENTS AND MISCELLANEOUS PROVISIONS CONTAINED IN THE DOCUMENT RECORDED MAY 6, 2002 AS DOCUMENT NO. 0020511817 WHICH DOES NOT CONTAIN A REVERSIONARY OR FORFEITURE CLAUSE. AS OF DATE OF POLICY: THERE ARE NO LIENS OR ASSESSMENTS DUE OR PAYABLE.

THE POLICY INSURES THAT THERE ARE NO EXISTING VIOLATIONS AND THAT A VIOLATION WILL NOT RESULT IN A FORFEITURE OR REVERSION OF TITLE.

(AFFECTS LAND AND OTHER PROPERTY NOT NOW IN QUESTION)

6. BUILDING SETBACK LINES AS SHOWN ON THE PLAT OF PHOENIX LAKE BUSINESS PARK RECORDED AS DOCUMENT 0011204741, AS CORRECTED BY CERTIFICATE RECORDED MAY 15, 2002 AS DOCUMENT 0020555190, OVER THE SOUTH 50.00 FEET AND THE WEST 50.00 FEET OF THE LAND, AS SHOWN ON THE SURVEY OF WEAVER BOOS CONSULTANTS, DATED JUNE 3, 2010, LAST REVISED JUNE 21, 2010. (THE "SURVEY")
7. THOSE ITEMS NOTED ON PLAT OF PHOENIX LAKE RECORDED AS DOCUMENT NO. 94579085, AND AS AS SHOWN ON THE SURVEY OF WEAVER BOOS CONSULTANTS, DATED JUNE 3, 2010, LAST REVISED JUNE 21, 2010 AS FOLLOWS:
 1. EASEMENT FOR PUBLIC UTILITIES AS SHOWN ON THE PLAT OF PHOENIX LAKE BUSINESS PARK, RECORDED AS DOCUMENT 0011204741, AS CORRECTED BY CERTIFICATE RECORDED MAY 15, 2002 AS DOCUMENT 0020555190, OVER THE WEST 10.00 FEET OF THE LAND AND OTHER PROPERTY, AS DEPICTED ON THE SURVEY.
 2. EXISTING EASEMENTS FOR PUBLIC UTILITIES AS SHOWN ON THE PLAT OF PHOENIX LAKE BUSINESS PARK, RECORDED AS DOCUMENT 0011204741, AS CORRECTED BY CERTIFICATE RECORDED MAY 15, 2002 AS DOCUMENT 0020555190, OVER THE SOUTH 25.00 FEET AND THE EAST 30.00 FEET OF THE LAND, AS DEPICTED ON THE SURVEY.
 3. EASEMENT IN FAVOR OF THE COMMONWEALTH EDISON COMPANY, AT&T CABLE, CABLE COMPANY, NOCOR AND THE ILLINOIS BELL TELEPHONE COMPANY, AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN THE EQUIPMENT NECESSARY FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY, TOGETHER WITH THE RIGHT OF ACCESS TO SAID

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EQUIPMENT, AND THE PROVISIONS RELATING THERETO CONTAINED IN THE PLAT RECORDED AS DOCUMENT 0011204741, AS CORRECTED BY CERTIFICATE RECORDED MAY 15, 2092 AS DOCUMENT 0020555190, AFFECTING THOSE PORTIONS OF THE LAND SHOWN WITHIN THE DOTTED LINES AND MARKED "P.U.E." PUBLIC UTILITY EASEMENT, ON SAID PLAT, AS DEPICTED ON THE SURVEY.

8. DRAINAGE EASEMENT RECORDED OCTOBER 22, 2003 AS DOCUMENT 0329533168 OVER THE NORTH 10 FEET OF THE LAND, AS DEPICTED ON THE SURVEY, AS CREATED BY THE DEED MADE BY AND BETWEEN PHOENIX II, LLC AND PHOENIX II, LLC FOR THE PURPOSE OF INSTALLING AND MAINTAINING STORM WATER DRAINAGE FACILITIES SERVING THIS LAND AND LOT 3 IN TEE PHOENIX LAKE BUSINESS CENTRE AND THE COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED THEREIN AND AS SHOWN ON THE SURVEY OF WEAVER BOOS CONSULTANTS, DATED JUNE 3, 2010, LAST REVISED JUNE 21, 2010.
9. THOSE ITEMS DEPICTED ON TEAT SURVEY BY MICHAEL D. BYTNER (PLS#3326) OF WEAVER BOOS CONSULTANTS, DATED JUNE 3, 2010, PROJ-2681-307-DWG, CERTIFIED SIGNED AND DATED JUNE 3, 2010 AND LAST REVISED JUNE 21, 2010, (THE "SURVEY"), AS FOLLOWS:
 1. POSSIBLE RIGHTS OF PUBLIC AND QUASI PUBLIC UTILITIES AS EVIDENCED BY THE FOLLOWING; STORM MANHOLES, SANITARY MANHOLES, POWER POLES, LIGHT POLES, TELEPHONE PEDESTAL, GAS METERS, ELECTRIC PEDESTAL/TRANSFORMER ON CONCRETE PAD, FLARED END SECTION, FIRE HYDRANT WITH VALVE, BUILDING LIGHTS.