



Doc#: 1034031075 Fee: \$52.00
Eugene "Gene" Moore RHSP Fee:\$10.00
Cook County Recorder of Deeds
Date: 12/06/2010 12:20 PM Pg: 1 of 9

This Document Prepared by and after recording return to:

Michael S. Roberts
Connelly Roberts & McGivney LLC
55 West Monroe Street
Suite 1700
Chicago, IL 60603

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1083
8831287

DEED IN LIEU OF FORECLOSURE

This Deed in Lieu of Foreclosure (this "Deed") is executed on December 2, 2010 (the "Effective Date") between ATG Trust Company, Successor Trustee to The Northern Trust Company, not personally, but as Trustee under that certain Trust Number 10140 dated July 1, 2004, One S. Wacker Drive, 24th Floor, Chicago, Illinois 60606 ("Grantor"), and Division State Property I LLC, a Delaware limited liability company, successor in interest to PNC Bank, National Association, 540 W. Madison Street, Suite 2500, Chicago, Illinois 60661 Attention: DRW Real Estate Management I LLC, Manager, Donald R. Wilson Jr., Manager ("Grantee").

Grantor, in consideration of Ten Dollars and other good and valuable consideration paid by Grantee, does hereby grant, convey and quitclaim to Grantee and Grantee's legal representatives, heirs, successors and assigns, forever, the land legally described on Exhibit A (the "Land"), together with all buildings, structures, improvements and fixtures erected, installed or located in, on, or at the Land (the "Improvements"); together with all of Grantor's rights, title and interest, if any, in and to all easements, rights of way, and other rights appurtenant to the Land, and all of Grantor's right, title and interest, if any, in and to the land lying in the bed of any street or highway, opened or proposed abutting, in front of or adjoining the Land, to the center line of such street or highway, and in and to any strips or gores abutting or adjacent to the Land; together with all of Grantor's right, title and interest, if any, in and to any unpaid award to be made in lieu thereof and in and to any unpaid award for damage to the Land by reason of change of grade or a closing of any such street or highway, together with all right, title and interest of Grantor, in and to any streets and roads abutting the Land; together with the appurtenances and hereditaments thereto (together, the "Premises"); subject only to that certain Real Estate Mortgage dated August 11, 2004 and recorded as Document No. 0423239052, with the Cook County Recorder of Deeds, as amended by that certain Amendment No. 1 to Real Estate Mortgage dated as of August 10, 2006 and recorded on January 10, 2007 as document no. 0701033126 with the Cook County Recorder of Deeds, further amended by that certain Amendment No. 2, Assignment and Assumption of Loan Agreement, Real Estate Mortgage, Assignment of Rents and Leases and Note dated June 8, 2007 and further amended by that certain Amendment No. 3 to Real Estate Mortgage and Assignment of Rents and Leases dated August 11, 2008 and recorded with the Cook County Recorder of Deeds on November 5, 2008 as document number 831022054 (the "Mortgage"), and the Assignment of Rents and Leases dated August 11, 2004 and recorded with the Cook County Recorder of Deeds as document number 0423239053 on August 19, 2004, amended by that certain Amendment No. 1 to Assignment of Rents and Leases dated August 10, 2006 and recorded with the Cook County Recorder of Deeds on January 10, 2007 as document number 0701033127, and to those certain encumbrances and exceptions described in Exhibit B (together with the Mortgage, the "Permitted Exceptions").

TO HAVE AND TO HOLD the Premises, subject to the Permitted Exceptions, unto Grantee and Grantee's legal representatives, heirs, successors and assigns forever.

Grantor, for itself, and its successors, does covenant, promise and agree, to and with Grantee and Grantee's successors 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 Grantor will FOREVER WARRANT AND DEFEND title to the Premises, with

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respect to any action Grantor may have taken, against all persons lawfully claiming by, through or under Grantor, subject to the Permitted Exceptions.

This Deed is delivered to Grantee in compliance with 735 ILCS 5/15-1401 (the "Act"), and is an absolute, present, unconditional and irrevocable conveyance of title, in effect as well as form, and is not intended as a mortgage, trust conveyance or security of any kind. There is no agreement for Grantee or anyone else to reconvey the Premises to Grantor under any circumstances whatsoever. This Deed is delivered pursuant to that certain Deed in Lieu of Foreclosure Agreement dated of even date herewith entered into between Grantor and Grantee.

IF GRANTEE OR ANY OTHER PERSON HOLDS THE MORTGAGE AFFECTING THE PREMISES, THE PARTIES CONFIRM THAT IT IS THEIR INTENTION THAT THE MORTGAGE SHALL NOT MERGE INTO THE FEE INTEREST CONVEYED HEREBY, BUT THAT THE MORTGAGE SHALL REMAIN AS A GOOD AND VALID MORTGAGE, SEPARATE AND APART FROM ANY OTHER INTEREST OF THE GRANTEE OR ANY OTHER PERSON IN THE PREMISES.

Grantor acknowledges, represents and confirms that this Deed is not being delivered for the purpose of defrauding creditors or avoiding the payment of any just debt. Grantor further acknowledges that there is nothing unconscionable in this transaction; Grantor considers this transaction to be fair and equitable based on Grantor's determination of the value and financial condition of the Premises; and Grantor acts under no misapprehension as to the effect of this Deed, freely and voluntarily, and not under any coercion or duress.

All assurances and acknowledgments made by Grantor in this Deed are made to induce any title company to issue policies of title insurance affecting the Premises and are further made for the protection and benefit of Grantee and Grantee's successors and assigns, and all other persons who may hereafter acquire an interest in the Premises.

This Deed may be executed in counterparts and all counterparts taken together will be deemed a complete document.

The remainder of this page is intentionally left blank

Signature Page to follow

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IN WITNESS WHEREOF, Grantor has duly executed this Deed effective as of the Effective Date.

GRANTOR:

ATG TRUST COMPANY, as successor Trustee to
THE NORTHERN TRUST COMPANY, not
personally but as Trustee under Trust No. 10140
dated July 1, 2004

By:
Its:


Vice President

ACCEPTED:

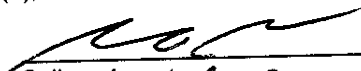
DIVISION STATE PROPERTY I LLC
By: DRW Real Estate Management I LLC, Manager

By: _____
Donald R. Wilson, Manager

SEND TAX BILLS TO: Division State Property I LLC, 540 W. Madison Street, Suite 2500, Chicago,
Illinois 60661 Attention: Donald R. Wilson Jr.

Exempt under provisions of paragraph (L), Section 31-45 Real Estate Transfer Tax Law.

12/2/2010
Date


Seller Agent for Buyer

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IN WITNESS WHEREOF, Grantor has duly executed this Deed effective as of the Effective Date.

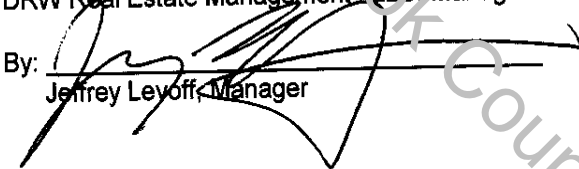
GRANTOR:

**ATG TRUST COMPANY, as successor Trustee to
THE NORTHERN TRUST COMPANY, not
personally but as Trustee under Trust No. 10140
dated July 1, 2004**

By: _____
Its: _____

ACCEPTED:

DIVISION STATE PROPERTY I LLC
By: DRW Real Estate Management I LLC, Manager

By: 
Jeffrey Levoff, Manager

SEND TAX BILLS TO: Division State Property I LLC, 540 W. Madison Street, Suite 2500, Chicago,
Illinois 60661 Attention: Donald R. Wilson Jr.

Exempt under provisions of paragraph (L), Section 31-45 Real Estate Transfer Tax Law.

Date

Seller

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STATE OF ILLINOIS)
 Lake) SS.
 COUNTY OF ~~COOK~~)

I HEREBY CERTIFY that on this 2nd day of December, 2010, before me personally appeared PEGGY PETERS Vice President to me known to be the same person who signed the foregoing instrument as ~~his~~^{her} free act and deed for the use and purpose therein mentioned, and that the said instrument is the act and deed of ~~him~~^{her}.

WITNESS my signature and official seal at Lake Forest in the County of ~~Cook~~^{Lake} and State of Illinois, this day and year last aforesaid.

(NOTARY SE/L)

Official Seal
 Eva Davila
 Notary Public, State of Illinois
 My Commission Expires 05/30/2012

Eva Davila
 Notary Public

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STATE OF ILLINOIS)
) ss.
COUNTY OF COOK)

I, JAYNE L. MCGIVNEY a Notary Public in and for the State and County aforesaid, do hereby certify that Jeffrey Levoff who is the manager of DRW Real Estate Management I LLC, the manager of Division State Property I LLC, who is personally known to me to 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 acts of said company for the uses and purposes therein set forth.

Given under my hand and notarial seal this 2nd day of DECEMBER, 2010.

Jayne L. McGivney
Notary Public

My commission expires:

"OFFICIAL SEAL"
JAYNE L. MCGIVNEY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 3/30/2014

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EXHIBIT A

LEGAL DESCRIPTION

LOT 3 IN THE ASSESSOR'S SUBDIVISION OF LOT 6 IN GOTTFRIED KNAUSS' SUBDIVISION OF THE NORTH ½ OF BLOCK 1 AND THE WEST 100 FEET OF THE SOUTH HALF OF SAID BLOCK 1 IN THE SUBDIVISION BY THE COMMISSIONERS OF THE ILLINOIS AND MICHIGAN CANAL OF THE SOUTH FRACTIONAL QUARTER OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

Permanent index Nos.: 17-03-200-074-0000, 17-03-200-075-0000, 17-03-200-076-0000

Commonly known as: 1163-1167 N. State Street, Chicago, Illinois 60610

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EXHIBIT B

Permitted Exceptions

1. General real estate taxes for 2010 and subsequent years not yet due or payable.
2. PERMITTED EXCEPTIONS SHOWN ON CHICAGO TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE #008831287, DATED OCTOBER 13,2010 AS FOLLOWS: Q, R, S, AB, AH, AI, AK and AL.

Property of Cook County Clerk's Office

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Grantor-Grantee Statement

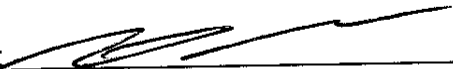
(Exempt and ABI Transfer Declaration Statement
Required Under Public Act 87-543 Cook County Only)

The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated December 2, 2010

ATG TRUST COMPANY, as successor Trustee to THE NORTHERN TRUST COMPANY, not personally but as Trustee under Trust No. 10140 dated July 1, 2004

By: Division State LLC, an Illinois limited liability company, Beneficiary

By: 
Michael S. Roberts, Agent




Subscribed and sworn to before me by the said Michael S. Roberts this 2nd day of December, 2010
Notary Public Jayne L. McGivney

The grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated December 2, 2010

Division State Property I LLC, a Delaware limited liability company
BY: DRW Real Estate Management I LLC
Manager

By: 
Michael S. Roberts, Agent



Subscribed and sworn to before me by the said Michael S. Roberts this 2nd day of December, 2010
Notary Public Jayne L. McGivney

Note: any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a class A misdemeanor for subsequent offenses.

(Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under the provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)