

# UNOFFICIAL COPY



PREPARED BY AND AFTER RECORDING  
RETURN TO:

Lawrence C. Eppley, Esq.  
K&L Gates LLP  
70 West Madison Street, Suite 3100  
Chicago, Illinois 60602

Doc#: 1206213021 Fee: \$66.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 03/02/2012 11:23 AM Pg: 1 of 15

## SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (the "*Deed*") is executed and delivered as of February 2, 2012 (the "*Closing Date*"), by DELLISART-CHICAGO B, LLC, a Delaware limited liability company ("*Grantor*"), whose mailing address is c/o Miglin Properties, L.L.C., 1230 West Washington Boulevard, Suite 150D, Chicago, Illinois 60607, to OXFORD 127 HURON HOTEL VENTURE PROPERTY COMPANY, LLC, a Delaware limited liability company ("*Grantee*"), whose mailing address is c/o Oxford Capital Group, LLC, 350 West Hubbard Street, Suite 440, Chicago, Illinois 60610.

### Recitals

A. Grantor is the owner of certain real property, together with all interests, privileges and easements appurtenant thereto and any and all improvements located thereon, situated in the State of Illinois and County of Cook and more fully described on Exhibit A attached hereto and incorporated herein by reference (the "*Property*").

B. Grantor and an affiliate of Grantee are parties to that certain DEED-IN-LIEU OF FORECLOSURE AGREEMENT dated as of February 2, 2012 (the "*Agreement*"). Initially capitalized terms used but not otherwise defined in this Deed have the same meanings given them in the Agreement.

C. Pursuant to the Agreement, Grantor is conveying the Property to Grantee in lieu of foreclosure.

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## Agreements

NOW, THEREFORE, FOR AND IN CONSIDERATION OF THE SUM OF TEN AND NO/100 DOLLARS (\$10.00), the foregoing recitals, the mutual promises and covenants set forth in the Agreement and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor does hereby grant, bargain, sell and convey unto Grantee the Property,

TOGETHER with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversions, remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances, including but not limited to all of Grantor's right, title, and interest in and to all easements, rights, tenements, and appurtenances thereunto belonging or appertaining to said premises above bargained and described, any and all streets, alleys, or public ways adjacent thereto, before or after vacation thereof, together with any water and/or sewer tap which may have been acquired by Grantor for use in connection with said premises above bargained and described,

### SUBJECT ONLY TO:

A. The Permitted Exceptions set forth on Exhibit B attached hereto and incorporated herein by reference; and

B. The lien of that certain Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing ("*Mortgage*"), executed by Grantor in favor of Oxford 127 Huron Hotel Venture, LLC, a Delaware limited liability company ("Lender"), recorded on January 2, 2007 with the Cook County, Illinois Recorder as Document Number 0700218057, and any of the other related loan documents delivered in connection with securing the indebtedness also secured by the aforesaid Mortgage (such additional loan documents, together with the Mortgage, are referred to collectively herein as the "*Loan Documents*"), all of which evidence or secure a loan from Lender to Grantor as further described in the Loan Documents.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto Grantee and Grantee's heirs and assigns forever. Grantor, for Grantor and Grantor's heirs and assigns, does covenant and agree that Grantor shall and will WARRANT AND FOREVER DEFEND the above described premises in the quiet and peaceable possession of Grantee and the heirs, successors and assigns of Grantee, against all and every person or persons claiming the whole or any part thereof, by, through or under Grantor, subject, however, to the Permitted Exceptions and the Mortgage.

This Deed is given by Grantor as a deed in lieu of foreclosure. Grantee by acceptance hereof in no way agrees to assume or be liable for the indebtedness evidenced and secured by the Loan Documents, and Grantor acknowledges that Grantee is not assuming any obligation for payment of the indebtedness evidenced and secured by the Loan Documents and is not responsible for or liable to Grantor or any other person or entity for payment thereof. Grantor, by execution and delivery hereof, and Grantee, by its acceptance hereof, agree and intend that

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there is and shall be no merger of the Loan Documents into this conveyance or into the fee simple interest or any interest in the Property and that the estates shall be kept and held separate and distinct and that said Loan Documents shall remain valid, enforceable and in full force and effect.

\* \* \* \* \*

[Signature Page Follows]

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IN WITNESS WHEREOF, Grantor has caused this Deed to be executed and delivered as of the Closing Date.

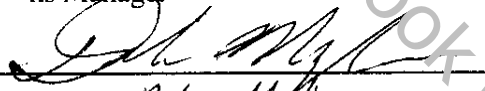
GRANTOR:

DELLISART-CHICAGO B, LLC,  
a Delaware limited liability company

By: DELLISART-CHICAGO M, LLC,  
a Delaware limited liability company,  
its Manager

By: DELLISART CHICAGO, LLC,  
an Illinois limited liability company,  
its Manager

By: MIGLIN PROPERTIES, LLC,  
an Illinois limited liability company,  
its Manager

By:   
Name: Duke White  
Title: Manager

THIS TRANSACTION IS EXEMPT UNDER THE PROVISIONS OF THE REAL ESTATE TRANSFER TAX LAW 35 ILCS 200/31-45, SUBPARAGRAPH L.



Dated: February 2, 2012.

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STATE OF IL )  
 ) SS  
COUNTY OF Cook )

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that Duke Miglin, the authorized signatory of DELLISART-CHICAGO B, LLC, a Delaware limited liability company, DELLISART-CHICAGO M, LLC, a Delaware limited liability company, DELLISART-CHICAGO, LLC, an Illinois limited liability company, and MIGLIN PROPERTIES, LLC, an Illinois limited liability company, 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 authorized signatory he signed and delivered the said instrument as his free and voluntary act and deed and as the free and voluntary act and deed of said entity, for the uses and purposes therein set forth.

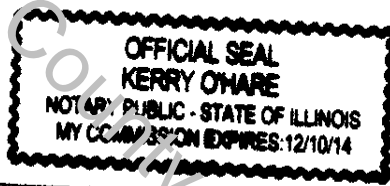
GIVEN under my hand and notarial seal this 2 day of February, 2012.

(SEAL)

Kerry O'Hare  
Notary Public

My commission expires:

12/10/2014



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## EXHIBIT A TO DEED

### LEGAL DESCRIPTION

#### Parcel 1:

A tract of land bounded by a line described as follows: Beginning on the North line of Sub-lot 1 in Assessor's Division of Lots 4, 5, 6, 7, 10 and 11 in Block 27 in Wolcott's Addition to Chicago, in Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, said line being also the South line of present Huron Street at a point 25 feet East of the Northwest corner of said sub-lot; running thence West along the North line of said sub-lot extended being also the South line of said Huron Street to a point 14 feet East of Original West line of Lot 9 in Block 27 aforesaid (as said lot appears on plat of Wolcott's Addition recorded August 15, 1836 in Book "h", Page 34) said point being also the East line of present LaSalle Street, as widened pursuant to Condemnation Suit Case 53227 County Court of Cook County, Illinois; thence South along the East line of LaSalle Street as so widened to a point on the South line of said Lot 9, being also the center line of an 18 foot alley, thence East along the South line of Lot 9 extended, being also the center line of said alley to a point 25 feet East of the Southwest corner of said Sub-lot 1; thence North to the place of beginning, in Cook County, Illinois.

#### Parcel 2:

Lot 1 (except the West 25 feet) in Assessor's Division of Lots 4, 5, 6, 7, 10 and 11 in Block 27 in Wolcott's Addition to Chicago in the East  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, according to the plat recorded on October 6, 1869 in Book 170, Page 179, as Document 28064; also Lots 12 and 13 in Block 27 in Wolcott's Addition to Chicago in the East  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 9, Township 39 North, Range 14, East of the Third Principal Meridian, in Cook County, Illinois.

Permanent Tax Parcel Numbers: 17-09-218-018, 17-09-218-019 and 17-09-218-020

Commonly known as: 127 West Huron, Chicago, Illinois 60654

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## EXHIBIT B TO DEED

### PERMITTED EXCEPTIONS

1. PROCEEDING PENDING IN CIRCUIT COURT AS CASE NUMBER 08 CH 37270 FILED OCTOBER 6, 2008 BY CAPITALSOURCE FINANCE LLC, A DELAWARE LIMITED LIABILITY COMPANY AGAINST DELLISART-CHICAGO B, LLC, ET AL FOR FORECLOSURE OF MORTGAGE RECORDED AS DOCUMENT NUMBER 0700218057.

LIS PENDENS NOTICE WAS RECORDED OCTOBER 7, 2008 AS DOCUMENT NUMBER 0828129015 AND RECORDED DECEMBER 17, 2008 AS DOCUMENT NUMBER 0835229037 AND RECORDED JUNE 8, 2010 AS DOCUMENT NUMBER 1015916046 AND RECORDED AUGUST 24, 2010 AS DOCUMENT NUMBER 1023629071.

RECEIVER'S CERTIFICATE RECORDED DECEMBER 15, 2008 AS DOCUMENT NUMBER 0835022096 WITH A LIEN AMOUNT OF \$13,397.00.

RECEIVER'S CERTIFICATE RECORDED JANUARY 28, 2009 AS DOCUMENT NUMBER 0902831051 WITH A LIEN AMOUNT OF \$21,722.11.

RECEIVER'S CERTIFICATE RECORDED JANUARY 28, 2009 AS DOCUMENT NUMBER 0902831052, WITH A LIEN AMOUNT OF \$162,029.84.

RECEIVER'S CERTIFICATE RECORDED MARCH 12, 2009 AS DOCUMENT NUMBER 0907134026, WITH A LIEN AMOUNT OF \$90,532.64.

RECEIVER'S CERTIFICATE RECORDED APRIL 13, 2009 AS DOCUMENT NUMBER 0910416070, WITH A LIEN AMOUNT OF \$25,750.39.

RECEIVER'S CERTIFICATE RECORDED MAY 7, 2009 AS DOCUMENT NUMBER 0912734115, WITH A LIEN AMOUNT OF \$34,535.80.

RECEIVER'S CERTIFICATE RECORDED JUNE 10, 2009 AS DOCUMENT NUMBER 0916118074, WITH A LIEN AMOUNT OF \$31,623.40.

RECEIVER'S CERTIFICATE RECORDED JULY 10, 2009 AS DOCUMENT NUMBER 0919118087, WITH A LIEN AMOUNT OF \$32,656.80.

RECEIVER'S CERTIFICATE RECORDED SEPTEMBER 9, 2009 AS DOCUMENT NUMBER 0925218051, WITH A LIEN AMOUNT OF \$160,648.05.

RECEIVER'S CERTIFICATE RECORDED OCTOBER 15, 2009 AS DOCUMENT NUMBER 0928822059, WITH A LIEN AMOUNT OF \$37,113.31.

RECEIVER'S CERTIFICATE RECORDED NOVEMBER 12, 2009 AS DOCUMENT NUMBER 0931645105, WITH A LIEN AMOUNT OF \$67,376.08.

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RECEIVER'S CERTIFICATE RECORDED DECEMBER 15, 2009 AS DOCUMENT NUMBER 0934934052, WITH A LIEN AMOUNT OF \$35,955.38.

RECEIVER'S CERTIFICATE RECORDED JANUARY 15, 2010 AS DOCUMENT NUMBER 1001531050, WITH A LIEN AMOUNT OF \$30,833.62.

RECEIVER'S CERTIFICATE RECORDED FEBRUARY 16, 2010 AS DOCUMENT NUMBER 1004729099, WITH A LIEN AMOUNT OF \$47,064.28.

RECEIVER'S CERTIFICATE RECORDED APRIL 6, 2010 AS DOCUMENT NUMBER 1009629122, WITH A LIEN AMOUNT OF \$182798.23.

RECEIVER'S CERTIFICATE RECORDED JUNE 25, 2010 AS DOCUMENT NUMBER 1017610038, WITH A LIEN AMOUNT OF \$128,906.23.

RECEIVER'S CERTIFICATE RECORDED SEPTEMBER 30, 2010 AS DOCUMENT NUMBER 1027322084, WITH A LIEN AMOUNT OF \$153,167.72.

RECEIVER'S CERTIFICATE RECORDED NOVEMBER 10, 2010 AS DOCUMENT NUMBER 1031434105, WITH A LIEN AMOUNT OF \$72,296.46.

RECEIVER'S CERTIFICATE RECORDED MARCH 9, 2011 AS DOCUMENT NUMBER 1106831099.

RECEIVER'S CERTIFICATE RECORDED MARCH 28, 2011 AS DOCUMENT NUMBER 1108744072.

RECEIVER'S CERTIFICATES RECORDED AFTER MARCH 28, 2011

2. MECHANICS LIEN CLAIM IN FAVOR OF ALLIANCE FIRE PROTECTION INC.

AGAINST WALSH CONSTRUCTION COMPANY, DELLISART CHICAGO B, LLC, ET AL. RECORDED JULY 23, 2008 AS DOCUMENT NUMBER 0820550003 IN THE AMOUNT OF \$166,289.81.

PARTIAL RELEASE RECORDED MARCH 4, 2010 AS DOCUMENT NUMBER 1006308140.

ASSIGNMENT OF LIEN AND CLAIMS RECORDED JANUARY 14, 2011 AS DOCUMENT NUMBER 1101441128, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

3. MECHANICS LIEN CLAIM IN FAVOR OF ATMI DYNACORE LLC

AGAINST WALSH CONSTRUCTION COMPANY, DELLISART-CHICAGO B, LLC, ET AL. RECORDED SEPTEMBER 18, 2008 AS DOCUMENT NUMBER 0826218037 IN THE AMOUNT OF \$95,421.00.



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ASSIGNMENT OF LIEN AND CLAIMS RECORDED JANUARY 14, 2011 AS DOCUMENT NUMBER 1101441130, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

4. MECHANICS LIEN CLAIM IN FAVOR OF THOMAS P. ADAMSON JR. & ASSOCIATES INC.

AGAINST WALSH CONSTRUCTION COMPANY, DELLISART-CHICAGO B, LLC, ET AL. RECORDED SEPTEMBER 18, 2008 AS DOCUMENT

NUMBER 0826245137 IN THE AMOUNT OF \$403,954.00.

ASSIGNMENT OF LIEN AND CLAIMS RECORDED JANUARY 14, 2011 AS DOCUMENT NUMBER 1101441137, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

5. MECHANICS LIEN CLAIM IN FAVOR OF T & W EDMIER CORP.

AGAINST WALSH CONSTRUCTION COMPANY, DELLISART-CHICAGO B, LLC, ET AL. RECORDED SEPTEMBER 25, 2008 AS DOCUMENT NUMBER 0826908021 IN THE AMOUNT OF \$102,342.50.

ASSIGNMENT OF LIEN AND CLAIMS RECORDED JANUARY 14, 2011 AS DOCUMENT NUMBER 1101441136, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

6. MECHANICS LIEN CLAIM IN FAVOR OF CMC ORGANIZATION L.L.C.

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED SEPTEMBER 26, 2008 AS DOCUMENT NUMBER 0827022098 IN THE AMOUNT OF \$215,508.00.

7. MECHANICS LIEN CLAIM IN FAVOR OF CMC ORGANIZATION L.L.C.

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED SEPTEMBER 26, 2008 AS DOCUMENT NUMBER 0827022099 IN THE AMOUNT OF \$170,450.00.

8. MECHANICS LIEN CLAIM IN FAVOR OF CMC ORGANIZATION L.L.C.

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED SEPTEMBER 26, 2008 AS DOCUMENT NUMBER 0827022100 IN THE AMOUNT OF \$280,000.00.

9. MECHANICS LIEN CLAIM IN FAVOR K & K IRON WORKS INC.

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED SEPTEMBER 29, 2008 AS DOCUMENT NUMBER 0827350014 IN THE AMOUNT OF \$996,164.00 AND AS DOCUMENT NUMBER 0827350013 IN THE AMOUNT OF \$286,649.00.

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ASSIGNMENT OF LIEN AND CLAIMS RECORDED JANUARY 14, 2011 AS DOCUMENT NUMBER 1101441134, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

10. MECHANICS LIEN CLAIM IN FAVOR OF STREICH CORPORATION

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED SEPTEMBER 29, 2008 AS DOCUMENT NUMBER 0827350050 IN THE AMOUNT OF \$101,294.00.

ASSIGNMENT OF LIEN AND CLAIMS RECORDED JANUARY 14, 2011 AS DOCUMENT NUMBER 1101441135, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

11. MECHANICS LIEN CLAIM IN FAVOR OF G & L ASSOCIATES INC.

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED OCTOBER 23, 2008 AS DOCUMENT NUMBER 0829718077 IN THE AMOUNT OF \$901,689.00.

ASSIGNMENT OF LIEN AND CLAIMS RECORDED JANUARY 14, 2011 AS DOCUMENT NUMBER 1101441132, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

12. MECHANICS LIEN CLAIM IN FAVOR OF CMC ORGANIZATION L.L.C.

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED OCTOBER 27, 2008 AS DOCUMENT NUMBER 0830122013 IN THE AMOUNT OF \$191,944.00.

ASSIGNMENT OF LIEN AND CLAIMS RECORDED FEBRUARY 22, 2011 AS DOCUMENT NUMBER 1105318043, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

13. MECHANICS LIEN CLAIM IN FAVOR OF BOSWELL BUILDING CONTRACTORS INC.

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED OCTOBER 28, 2008 AS DOCUMENT NUMBER 0830244021 IN THE AMOUNT OF \$134,178.00.

ASSIGNMENT OF LIEN AND CLAIMS RECORDED JANUARY 14, 2011 AS DOCUMENT NUMBER 1101441131, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

14. AMENDED MECHANICS LIEN CLAIM IN FAVOR OF CMC ORGANIZATION L.L.C.

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED DECEMBER 9, 2008 AS DOCUMENT NUMBER 0834418070 IN THE AMOUNT OF \$186,375.00.

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15. AMENDED MECHANICS LIEN CLAIM IN FAVOR OF CMC ORGANIZATION L.L.C.

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED DECEMBER 9, 2008 AS DOCUMENT NUMBER 0834418071 IN THE AMOUNT OF \$221,076.00.

ASSIGNMENT OF LIEN AND CLAIMS RECORDED FEBRUARY 22, 2011 AS DOCUMENT NUMBER 1105318043, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

16. MECHANICS LIEN CLAIM IN FAVOR OF ATMI DYNACORE, LLC AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED MARCH 23, 2009 AS DOCUMENT NUMBER 0906234084 IN THE AMOUNT OF \$263,413.14.

ASSIGNMENT OF LIEN AND CLAIMS RECORDED JANUARY 14, 2011 AS DOCUMENT NUMBER 1101441130, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

17. MECHANICS LIEN CLAIM IN FAVOR OF USA HOIST COMPANY

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED APRIL 24, 2009 AS DOCUMENT NUMBER 0911422060 IN THE AMOUNT OF \$66,220,000.00.

18. MECHANICS LIEN CLAIM IN FAVOR OF KROPP EQUIPMENT INC.

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED APRIL 30, 2009 AS DOCUMENT NUMBER 0912047053 IN THE AMOUNT OF \$1,231.40.

19. MECHANICS LIEN CLAIM IN FAVOR OF WILKIN INSULATION CO.

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED JANUARY 26, 2010 AS DOCUMENT NUMBER 1002608121 IN THE AMOUNT OF \$33,430.14.

20. MECHANICS LIEN CLAIM IN FAVOR OF HVAC CONSULTANTS INC.

AGAINST WALSH CONSTRUCTION COMPANY, DELLISART-CHICAGO B, LLC, ET AL. RECORDED SEPTEMBER 18, 2008 AS DOCUMENT NUMBER 0825422046 IN THE AMOUNT OF \$698,525.65.

ASSIGNMENT OF LIEN AND CLAIMS RECORDED FEBRUARY 22, 2011 AS DOCUMENT NUMBER 1105318042, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

21. MECHANICS LIEN CLAIM IN FAVOR OF GIBSON ELECTRO CO. INC. DBA GIBSON ELECTRIC & TECHNOLOGY SOLUTIONS

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AGAINST WALSH CONSTRUCTION COMPANY, DELLISART-CHICAGO B, LLC, ET AL. RECORDED OCTOBER 21, 2008 AS DOCUMENT NUMBER 0829531067 IN THE AMOUNT OF \$1,005,914.00.

ASSIGNMENT OF LIEN AND CLAIMS RECORDED JANUARY 14, 2011 AS DOCUMENT NUMBER 1101441133, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

22. MECHANICS LIEN CLAIM IN FAVOR OF NATIONS ROOF NORTH LLC

AGAINST WALSH CONSTRUCTION COMPANY, DELLISART-CHICAGO B, LLC, ET AL. RECORDED OCTOBER 21, 2008 AS DOCUMENT NUMBER 0829556023 IN THE AMOUNT OF \$35,830.00.00.

23. MECHANICS LIEN CLAIM IN FAVOR OF WALSH CONSTRUCTION COMPANY

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED OCTOBER 22, 2008 AS DOCUMENT NUMBER 0829631097 IN THE AMOUNT OF \$8,028,959.00.

AGREEMENT AMENDING LIEN RECORDED OCTOBER 24, 2008 AS DOCUMENT NUMBER 0829831104, AMENDING LIEN AMOUNT TO \$8,5050,292.00

ASSIGNMENT OF LIEN AND CLAIMS RECORDED JANUARY 14, 2011 AS DOCUMENT NUMBER 1101441127, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

24. MECHANICS LIEN CLAIM IN FAVOR OF VALERIO DEWALT TRAIN ASSOCIATES, INC.

AGAINST DELLISART-CHICAGO B, LLC, ET AL. RECORDED NOVEMBER 26, 2008 AS DOCUMENT NUMBER 0833131143 IN THE AMOUNT OF \$174,532.10.

25. MECHANICS LIEN CLAIM IN FAVOR OF ARCHITECTURAL GLASS WORKS INC.

AGAINST WALSH CONSTRUCTION COMPANY, DELLISART-CHICAGO B, LLC, ET AL. RECORDED DECEMBER 18, 2008 AS DOCUMENT NUMBER 0835331081 IN THE AMOUNT OF \$367,719.00.

ASSIGNMENT OF LIEN AND CLAIMS RECORDED JANUARY 14, 2011 AS DOCUMENT NUMBER 1101441129, ASSIGNING SAID LIEN TO CORPOREX HOTELS OF CHICAGO, LLC.

26. ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL, HERETOFORE OR HEREAFTER FURNISHED, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.

27. ANY LIEN OR RIGHT TO A LIEN FOR RECEIVER'S FEES.

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28. EXISTING UNRECORDED LEASES AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEES, IF ANY.

29. TAXES FOR THE YEARS 2010 (SECOND INSTALLMENT ONLY), 2011 AND SUBSEQUENT YEARS.

30. ASSIGNMENT OF RENTS AND LEASES MADE BY DELLISART-CHICAGO B, LLC, A DELAWARE LIMITED LIABILITY COMPANY TO CAPITALSOURCE FINANCE LLC, A DELAWARE LIMITED LIABILITY COMPANY, DATED DECEMBER 26, 2006 ND RECORDED JANUARY 2, 2007 AS DOCUMENT NUMBER 0700218058.

ASSIGNMENT OF ASSIGNMENT OF RENTS AND LEASES RECORDED NOVEMBER 22, 2010 AS DOCUMENT NUMBER 1032610055.

31. RIGHTS OF UTILITY COMPANIES, ADJOINING OWNERS, PUBLIC AND CITY OF CHICAGO IN THE SOUTH 9 FEET TAKEN AND USED FOR ALLEY.

- A. THE RIGHTS OF THE PUBLIC, CITY OF CHICAGO, COUNTY OF COOK, AND THE STATE OF ILLINOIS, TO THE USE OF THE ALLEY.
- B. AERIAL WIRES, UTILITY POLES WITH LIGHTS, TRANSFORMERS AND COMED CONDUIT, LOCATED WITHIN THE SOUTH 9 FEET OF THE LAND.
- C. RCN FIBER OPTIC CABLE, COMCAST OVERHEAD WIRES, AND METAL VENT, LOCATED WITHIN THE SOUTH 9 FEET OF THE LAND.

32. SUBSTITUTE ORDINANCE OF THE CITY OF CHICAGO CREATING AND ESTABLISHING CITY OF CHICAGO SPECIAL SERVICE AREA NUMBER 12 PASSED FEBRUARY 6, 1991, CERTIFIED COPY THEREOF RECORDED FEBRUARY 19, 1991 AS DOCUMENT NUMBER 91075841, FOR SPECIAL GOVERNMENTAL SERVICES AND AUTHORIZING LEVYING AN ANNUAL AD VALOREM REAL PROPERTY TAX IN SAID AREA TO PRODUCE SUFFICIENT REVENUES FOR SUCH SPECIAL GOVERNMENTAL SERVICES, AND THE TERMS, PROVISIONS, AND CONDITIONS THEREIN CONTAINED AND RIGHTS AND OBLIGATIONS THEREBY CREATED AND GRANTED. THE LAND LIES WITHIN THE BOUNDARIES OF SAID CITY OF CHICAGO SPECIAL SERVICE DISTRICT NO. 12 AND IS SUBJECT TO ANY SUCH ADDITIONAL TAXES LEVIED PURSUANT TO SAID ORDINANCE.

33. ENCROACHMENTS, AS DISCLOSED BY SURVEY MADE BY GREMLEY & BIEDERMANN DATED APRIL 8, 1987, ORDER NO. 87719, AS FOLLOWS:

- A. OF THE METAL VENTS ATTACHED TO THE REAR OF THE TWO STORY BUILDING LOCATED ON PARCELS 1 AND 2 OVER THE SOUTH LINE THEREOF.

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- B. OF THE VENT ATTACHED TO THE REAR OF THE ONE STORY BUILDING LOCATED ON PARCEL 1 OVER THE SOUTH LINE THEREOF.
- C. OF THE ONE STORY BUILDING LOCATED ON PARCEL 1 OVER THE NORTH LINE BY APPROXIMATELY .01 FEET.
- D. OF THE ONE STORY BUILDING LOCATED ON PARCEL 2 OVER THE EAST LINE BY .25 FEET AT THE NORTH END AND BY .45 FEET AT THE SOUTH END.

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## STATEMENT BY GRANTOR AND GRANTEE

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 and hold title to real estate under the laws of the State of Illinois.

Dated February 2, 2012 Signature: [Signature]  
Grantor or Agent

Subscribed and sworn to before me by the  
said Dale Magin  
this 2nd day of February  
2012

[Signature]  
Notary Public



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 and hold title to real estate under the laws of the State of Illinois.

Dated 2/2/12 Signature: [Signature]  
Grantee or Agent

Subscribed and sworn to before me by the  
said John W. Rutledge  
this 2 day of February  
2012

[Signature]  
Notary Public



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 provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.]