

# UNOFFICIAL COPY

## QUITCLAIM DEED (VACANT LAND)



Doc#: 1206945076 Fee: \$50.00  
Eugene "Gene" Moore RHSP Fee: \$10.00  
Cook County Recorder of Deeds  
Date: 03/09/2012 02:05 PM Pg: 1 of 7

211981

(The Above Space For Recorder's Use Only)

Grantor, the **CITY OF CHICAGO**, an Illinois municipal corporation located at 121 North LaSalle Street, Chicago, Illinois 60602 ("Grantor"), for and in consideration of One and no/100 Dollars (\$1.00), conveys and quitclaims, pursuant to ordinance ("Ordinance") adopted on March 10, 2010, to **THE COMMUNITY BUILDERS, INC.**, a Massachusetts 501(c)(3) corporation, licensed to transact business in Illinois as TCB Illinois NFP, Inc. ("Grantee"), whose local address is 135 South LaSalle Street, Suite 3350, Chicago, Illinois 60603, all interest and title of Grantor in the real property legally described on Exhibit A attached hereto and made a part hereof (the "Property"). Without limiting the quitclaim nature of this deed ("Deed"), such conveyance shall be subject to:

- (a) that certain Agreement for the Sale and Redevelopment of Land dated March 7<sup>th</sup>, 2012 (the "RDA"), between Grantor, Grantee, Oakwood Shores Terrace Associates Limited Partnership, an Illinois limited partnership ("Oakwood"), and Arches Retail Development, LLC, an Illinois limited liability company ("Arches"). Grantee, Oakwood and Arches together shall be referred to as the "Mixed Use Project Developers".
- (b) the Madden/Wells Redevelopment Tax Increment plan (the "Redevelopment Plan") for the Redevelopment Area (as defined in the RDA);
- (c) the standard exceptions in an ALTA title insurance policy;
- (d) general real estate taxes and any special assessments or other taxes;
- (e) all easements, encroachments, covenants and restrictions of record and not shown of record;
- (f) such other title defects as may exist; and
- (g) any and all exceptions caused by the acts of any of the Mixed Use Project Developers or their respective agents.

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Further, this Deed is made and executed upon, and is subject to certain express conditions and covenants hereinafter contained, said conditions and covenants being a part of the consideration for the Property and are to be taken and construed as running with the land, which covenants and conditions are as follows:

**FIRST:** The Mixed Use Project Developers shall commence and complete construction of the Mixed Use Project (as defined in the RDA) in accordance with the deadlines established in Section 12 of the RDA and subject to the adjustments permitted thereunder, and in accordance with the specifications and Drawings (as defined in the RDA) and all laws and covenants and restrictions of record.

**SECOND:** The Mixed Use Project Developers shall: (a) devote the Property, or any part thereof, solely for constructing the Mixed Use Project, including but not limited to dedicating seventy-five (75%) percent of the Rental Project, as defined in the RDA, to affordable housing, of which 19 units in the Rental Project shall be "PHA-Assisted Units" for use as "public housing" as defined in Section 5(b) of the United States Housing Act of 1937 (42 USC § 1437, et seq.), as amended from time to time, and for a use that complies with the Redevelopment Plan until the Redevelopment Plan expires, and (b) not discriminate on the basis of race, color, sex, gender identity, age, religion, disability, national origin, ancestry, sexual orientation, marital status, parental status, military discharge status, or source of income in the sale, lease, rental, use or occupancy of the Property or any part thereof or the Mixed Use Project or any part thereof.

**THIRD:** Prior to the issuance of the Certificate of Completion for the applicable portion of the Mixed Use Project, as established in Section 13 of the RDA, the respective Mixed Use Project Developer shall each comply with the sale and transfer restrictions set forth in Section 15 of the RDA.

**FOURTH:** Prior to the issuance of the Certificate of Completion for the applicable portion of the Mixed Use Project, as established in Section 13 of the RDA, the respective Mixed Use Project Developer shall each comply with the encumbrance restrictions in Section 16 of the RDA.

The covenants provided in paragraphs FIRST, THIRD and FOURTH shall terminate with respect to the Rental Project and/or Retail Project (as each are defined in the RDA) as applicable, upon the issuance of the final Certificate of Completion for the completed Rental Project and/or Retail Project. The covenants contained in subparagraph (a) in paragraph SECOND shall terminate after the occurrence of both, the issuance of the Certificate of Completion for the applicable portion of the Mixed Use Project, and the date the Redevelopment Plan expires on December 31, 2026. The covenants contained in subparagraph (b) in paragraph SECOND shall have no termination date.

If an Event of Default (as defined in the RDA) occurs after the date of this Deed but prior to the issuance of the Certificate of Completion, and the default is not cured in the time period provided for in Section 19 of the RDA, the Grantor may re-enter and take possession of the Property, terminate the estate conveyed to any of the Mixed Use Project Developers, re-vest title to the Property in the City in accordance with the terms of the RDA, and shall require the respective Mixed Use Project Developers to execute a Deed of Reconveyance to the Grantor; provided, however, the re-vesting of title in the Grantor shall be limited by, and shall not defeat, render invalid, or limit in any way, the lien of any mortgage authorized by the RDA.

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IN WITNESS WHEREOF, Grantor has caused this instrument to be duly executed in its name and behalf and its seal to be hereunto duly affixed and attested, by the Mayor and by the City Clerk, on or as of the 7<sup>th</sup> day March, 2012.

CITY OF CHICAGO, a municipal corporation

By: Rahn Emanuel, RP  
\_\_\_\_\_, Mayor

ATTEST:

Susana A. Mendoza  
\_\_\_\_\_, City Clerk

State of Illinois

SS

County of Cook

I, Sandra E. Foreman a Notary Public in and for said County, in the State aforesaid, do hereby certify that \_\_\_\_\_, mayor of the City of Chicago, a municipal corporation, or his authorized designee, and \_\_\_\_\_, City Clerk, personally known to me to be the City Clerk of the City of Chicago, a municipal corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day and acknowledged that as Mayor and City Clerk, respectively, they signed and delivered said instrument and caused the corporate seal of said municipal corporation to be affixed thereto, pursuant to authority given by the City of Chicago, as their free and voluntary acts, and as the free and voluntary acts and deed of said corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

City of Chicago  
Dept. of Finance  
619248



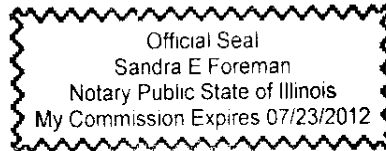
Real Estate  
Transfer  
Stamp

\$0.00

Batch 4,272,839

Sandra E. Foreman  
\_\_\_\_\_  
Notary Public

3/9/2012 13:24  
dr00764



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This instrument was prepared by:

Karen Bielarz  
Senior Counsel  
City of Chicago  
Department of Law  
121 N. LaSalle Street, Room 600  
Chicago, Illinois 60602  
312/744-6910

After recording, please mail to:

THIS TRANSFER IS EXEMPT PURSUANT TO THE PROVISIONS OF THE REAL ESTATE TRANSFER TAX ACT, 35 ILCS 200/31-45(b); SECTION 3-33-060(B) OF THE CHICAGO TRANSACTION TAX ORDINANCE; AND COOK COUNTY ORDINANCE NO. 93-0-27(B).

x Ann Kaplan-Pelins

Property of Cook County Clerk's Office

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## EXHIBIT A

### LEGAL DESCRIPTION OF PROPERTY

#### **PARCEL ONE:**

THAT PART OF LOT 66 IN ELLIS' EAST ADDITION TO CHICAGO TOGETHER WITH THAT PART OF LOTS 10, 11 AND 12, IN ASSESSOR'S DIVISION OF LOTS 63, 64 AND 65 IN ELLIS' EAST ADDITION TO CHICAGO, TAKEN AS A TRACT, IN THE SOUTHEAST QUARTER OF ~~EAST ADDITION TO CHICAGO, TAKEN AS A TRACT, IN THE SOUTHEAST QUARTER OF~~ SECTION 34 AND FRACTIONAL SECTION 35 TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF EAST 38TH STREET, BEING ALSO THE NORTH LINE OF MADDEN WELLS SUBDIVISION WITH THE EAST LINE OF THE 80 FOOT WIDE SOUTH COTTAGE GROVE AVENUE; THENCE NORTH 69 DEGREES 56 MINUTES 33 SECONDS EAST, ALONG THE NORTH LINE OF EAST 38TH STREET, AFORESAID, 169.28 FEET TO THE EASTERLY LINE OF THE WESTERLY HALF OF SAID LOT 66; THENCE NORTH 21 DEGREES 1 MINUTE 32 SECONDS WEST, ALONG THE LAST MENTIONED EASTERLY LINE 82.40 FEET TO THE NORTH LINE OF SAID LOT 66; THENCE NORTH 21 DEGREES 47 MINUTES 27 SECONDS WEST, ALONG THE EASTERLY LINE OF LOTS 10, 11 AND 12, AFORESAID, 82.71 FEET TO THE NORTHEASTERLY CORNER OF SAID LOT 12; THENCE SOUTH 69 DEGREES 7 MINUTES 52 SECONDS WEST, ALONG THE NORTHERLY LINE OF SAID LOT 12, A DISTANCE OF 165.16 FEET TO THE EAST LINE OF SOUTH COTTAGE GROVE AVENUE, AFORESAID; THENCE SOUTH 19 DEGREES 58 MINUTES 0 SECONDS EAST, 162.23 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY ILLINOIS.

Containing 27,370 Square Feet or 0.6283 Acres, more or Less

Commonly known and numbered as: 3753-55 South Cottage Grove Avenue, Chicago, Illinois 60653

Permanent Index Numbers: 17-34-421-096-0000; 17-34-421-099-0000;  
AND 17-34-421-100-0000 (PARTIAL)

#### **PARCEL TWO:**

THAT PART OF LOTS 6, 13 AND 14, IN ASSESSOR'S DIVISION OF LOTS 63, 64 AND 65 IN ELLIS' EAST ADDITION TO CHICAGO, TAKEN AS A TRACT, IN THE SOUTHEAST QUARTER OF SECTION 34 FRACTIONAL SECTION 35 TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE POINT OF INTERSECTION OF THE NORTH LINE OF EAST 38TH STREET, BEING ALSO THE NORTH LINE OF MADDEN WELLS SUBDIVISION WITH THE EAST LINE OF THE 80 FOOT WIDE SOUTH COTTAGE GROVE AVENUE; THENCE NORTH 69 DEGREES 56 MINUTES 33 SECONDS EAST, ALONG THE NORTH LINE OF EAST 38TH STREET, AFORESAID, 169.28 FEET TO THE EASTERLY LINE OF

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THE WESTERLY HALF OF SAID LOT 66 IN ELLIS' EAST ADDITION TO CHICAGO, AFORESAID; THENCE NORTH 21 DEGREES 1 MINUTES 32 SECONDS WEST, ALONG THE LAST MENTIONED EASTERLY LINE, 82.40 FEET TO THE NORTH LINE OF SAID LOT 66; THENCE NORTH 21 DEGREES 47 MINUTES 27 SECONDS WEST, ALONG THE EASTERLY LINE OF LOTS 10, 11 AND 12, IN ASSESSOR'S DIVISION OF LOTS 63, 64 AND 65, AFORESAID, 82.21 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 13, BEING ALSO THE POINT OF BEGINNING; THENCE SOUTH 69 DEGREES 7 MINUTES 52 SECONDS WEST, ALONG THE SOUTHERLY LINE OF SAID LOT 13, A DISTANCE OF 165.16 FEET TO THE EAST LINE OF SOUTH COTTAGE GROVE AVENUE, AFORESAID: THENCE NORTH 19 DEGREES 58 MINUTES 0 SECONDS WEST, ALONG THE LAST MENTIONED EAST LINE, 58.35 FEET; THENCE NORTH 69 DEGREES 56 MINUTES 33 SECONDS EAST, 337.50 FEET TO THE WEST LINE OF THE 66 FOOT WIDE SOUTH ELLIS AVENUE; THENCE SOUTH 22 DEGREES 4 MINUTES 47 SECONDS EAST, 3.36 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 6; THENCE SOUTH 69 DEGREES 6 MINUTES 12 SECONDS WEST, ALONG THE SOUTHERLY LINE OF LOT 6, AFORESAID, 174.10 FEET TO THE NORTHEAST CORNER OF SAID LOT 13; THENCE SOUTH 21 DEGREES 47 MINUTES 27 SECONDS EAST, 50.13 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Containing 10,199 Square Feet or 0.2341 Acres, more or Less

Permanent Index Numbers: 17-34-421-093-0000; 17-34-421-081-0000 (partial);  
and 17-34-421-082-0000 (partial)

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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 grantor 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, 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: March 7, 2012

By: City of Chicago  
By: Karen Bilany  
One of the attorneys for  
The City of Chicago

SUBSCRIBED AND SWORN TO BEFORE  
ME BY THE SAID ATTORNEY  
THIS 7th DAY OF MARCH, 2012

Notary Public Margaret A. Grassano



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 persona and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated: MARCH 7, 2012

By: Paul Wau

SUBSCRIBED AND SWORN TO BEFORE  
ME BY THE SAID Attorney  
THIS 7<sup>TH</sup> DAY OF MARCH, 2012.

Notary Public Margaret A. Grassano



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.

[Attached 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.