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#### SPECIAL WARRANTY DEED

THIS INDENTURE, made this 7th day of 2012, between **DAMEN** November, COMMERCIAL CORPORATION, an Illinois corporation, created and existing under and by virtue of the laws of the State of Illinois and duly authorized to transact business in the State of Illinois, Grantor, and BRT2 PROPERTY, LLC, an Illinois limited liability company, Grantee, WITNESSETH, Grantee, that Grantor, for and in consideration of the sum of TEN AND NO/100ths DOLLARS (\$10.00) and good and other valuable consideration in hand paid by the eccipt whereof is hereby Grantee. acknowledged, and pursuant to authority of the Members of said company, by these presents does GRANT, SELL, REMISE, RELEASE, ALIEN AND CONVEY unto the Grantce, and to its



Doc#: 1231910062 Fee: \$48.00 Eugene "Gene" Moore RHSP Fee:\$10.00 Cook County Recorder of Deeds
Date: 11/14/2012 12:54 PM Pg: 1 of 6

successors and assigns, FOREVER, all the following described real estate, situated in the County of Cook and State of Illinois, to wit: (see legal description set forth on **Exhibit A** attached hereto).

Together with all and singular the he editaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of Grantor, either in law or equity, of, in and to the above described real estate,

TO HAVE AND TO HOLD unto Grantee, its successors and assigns forever.

And Grantor hereby expressly waives and releases any and all right or benefit under and by virtue of any and all statutes of the State of Illinois, providing for the exemption of homesteads from the sale on execution or otherwise.

And Grantor, for itself, and its successors, does covenant, promise and agree, to and with Grantee, its successors or assigns, that it has not done or suffered to be done, mything whereby the said real estate hereby granted are, or may be, in any manner encumbered or charged, except as herein recited; and that it WILL WARRANT AND FOREVER DEFEND, the said real estate, against all persons lawfully claiming, or to claim the same, by through, or under it, subject to: the matrix set forth on **Exhibit B** attached hereto and made a part hereof.

This Special Warranty Deed is given by Grantor as a deed in lieu of foreclosure. Grantor acknowledges that it is expressly intended and agreed that the lien and security interest granted by Grantor to Grantee's affiliate pursuant to (i) that certain Mortgage made by Grantor, and recorded on May 8, 2007, in the Cook County, Illinois Recorder's Office as Document No. 0712833080, as amended by that certain Modification of Mortgage made by Grantor, and recorded on March 24, 2008, in the Cook County, Illinois Recorder's Office as Document No. 0808447032 and (ii) that certain Assignment of Rents made by Grantor, and recorded on May 8, 2007, in the Recorder's Office as Document No. 0712833081, shall remain in full force and effect and shall not merge with the interest acquired hereunder, but shall remain separate, distinct and continuing liens and security interests as therein provided. Grantor hereby agrees that it shall not be released from personal liability for the indebtedness

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secured by the foregoing except as may be separately provided in a written agreement executed by Grantee's affiliate in favor of Grantor.

### [REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

DOOP OF

EXEMPT UNDER PROVISIONS OF PARAGRAPH SEC. 200.1-2 (9-6) OR PARAGRAPH SEC. 200.1-4 (B) OF THE CHICAGO TRANSACTION TAX ORDINANCE.

Real Estate Transfer Tax Act,

Seller or Representative Clart's Office

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IN WITNESS WHEREOF, this Special Warranty Deed has been signed and delivered as of the date first written above.

THIS TRANSACTION IS EXEMPT UNDER THE PROVISIONS OF the Real Estate Transfer Tax Law 35 ILCS 200/31-45, sub-paragraph L

Dated: November 7, 2012

**GRANTOR:** 

DAMEN COMMERCIAL CORPORATION, an Illinois corporation

Name: Jakub Kosiba Title: President

STATE OF ILLINOIS

**COUNTY OF COOK** 

) ss.

ACKNOWLEDGMENT

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that JAKUB KOSIBA, personally known to be the President of DAMEN COMMERCIAL CORPORATION, an Illinois corporation, appeared before me this day in person and acknowledged that he signed, sealed and delivered said instrument as his over fee and voluntary act of said entity, for the uses and purposes therein set forth.

Witness my hand and Notarial Seal this \_\_\_\_\_\_day of November 2012.

OFFICIAL SEAL

ABIGAIL M SEPER

NOTARY PUBLIC - STATE OF ILLIMOUS

THIS INSTRUMENT WAS PREPARED BY:

Steven F. Ginsberg Ginsberg Jacobs LLC 300 South Wacker Drive, Suite 2750 Chicago, Illinois 60606

SEND SUBSEQUENT TAX BILLS TO:

AFTER RECORDING MAIL TO:

BRT2 Property, LLC c/o Baum Revision, LLC 1550 North Cleveland Avenue Chicago, Illinois, 60610 Attention: Scott Goldman

BRT2 Property, LLC c/o Baum Revision, LLC 1550 North Cleveland Avenue Chicago, Illinois, 60610

Attention: Scott Goldman

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### **EXHIBIT A**

### **LEGAL DESCRIPTION**

#### PARCEL 1:

UNIT C-1 IN THE 2156 N. DAMEN CONDOMINIUMS AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY:

PART OF LOT 23 AND ALL OF LOT 24 IN BLOCK 1 IN SHERMAN'S ADDITION TO HOLSTEIN IN SECTION 31, TOWNSHIP 40 NORTH, RANGE 14. EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS: WHICH SURVEY IS ATTACHED AS EXHIBIT 'A' TO THE DECLARATION OF CONDOMINIUM RECORDED OCTOBER 25, 2004 AS DOCUMENT 0429919118, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENTS.

#### PARCEL 2:

UNIT C-1 IN THE 2158 N. DAMEN CONDOMINIUMS AS DELINEATED ON A SURVEY OF THE FOLLOWING DESCRIBED PROPERTY:

THE NORTH 26.10 FEET OF LOT 23 IN BLOCK 1 IN SHERMAN'S ADDITION TO HOLSTEIN IN SECTION 31, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS; WHICH SURVEY IS ATTACHED AS EXHIBIT A' TO THE DECLARATION OF RECORDED JANUARY 26, 2005 AS DOCUMENT CONDOMINIUM 0502639106, TOGETHER WITH ITS UNDIVIDED PERCENTAGE

Commonly known as:

2156 N. Damen Avenue, Unit C.1, Chicago, Illinois 60647

2158 N. Damen Avenue, Unit C-1, Cnicago, Illinois 60647 The Office

14-31-123-043-1001 P.I.N.:

14-31-123-044-1001

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### **EXHIBIT B**

### PERMITTED EXCEPTIONS

1. 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), CONTAINED IN THE OPERATING DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS & EASEMENTS FOR SHAKESPEARE PLACE, MADE BY J & J CONSULTANTS II LLC, AND RECORDED AUGUST 28, 2006 AS DOCUMENT 0624032010, WHICH DOES NOT CONTAIN A REVERSIONARY OR FORFEITURE CLAUSE.

(AFFECTS PARCEL 1)

2. ENCROACHMENT OF THE BUILDING LOCATED MAINLY ON THE LAND ONTO THE PROPERTY SOUTH AND ADJOINING BY APPROXIMATELY 0.03 FEET TO 0.05 FEET, AS SHOWN ON PLAT OF SURVEY NUMBER 03-66083 PREPARED BY PROFESSIONALS ASSOCIATED DATED DECEMBER 9, 2003.

(AFFECTS PARCEL 1)

3. ENCROACHMENT OF THE FENCE I OCATED MAINLY ON THE PROPERTY NORTH AND ADJOINING ONTO THE LAND BY APPROXIMATELY 0.05 FEET, AS SHOWN ON PLAT OF SURVEY NUMBER 03-66083 PREPARED BY PROFESSIONALS ASSOCIATED DATED DECEMBER 9, 2003.

(AFFECTS PARCEL 1)

4. (A) TERMS, PROVISIONS, COVENANTS, CONDITIONS AND OPTIONS CONTAINED IN AND RIGHTS AND EASEMENTS ESTABLISHED BY THE DECLARATION OF CONDOMINIUM OWNERSHIP RE CORDED OCTOBER 25, 2304 AS DOCUMENT NO. 0429919118, AS AMENDED FROM TIME TO TIME; AND (E) L'MITATIONS AND CONDITIONS IMPOSED BY THE CONDOMINIUM PROPERTY ACT.

(AFFECTS PARCEL 2)

5. (A) TERMS, PROVISIONS, COVENANTS, CONDITIONS AND OPTIONS CONTAINED IN AND RIGHTS AND EASEMENTS ESTABLISHED BY THE DECLARATION OF CONDOMINIUM OWNERSHIP RE CORDED JANUARY 26, 2005 AS DOCUMENT NO. 0502639106, AS AMENDED FROM TIME TO TIME; AND (B) LIMITATIONS AND CONDITIONS IMPOSED BY THE CONDOMINIUM PROPERTY ACT.

(AFFECTS PARCEL 3)

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

	GRANTUR:
Dated: November 7, 2012  Subscribed and sworn to before me this 7 <sup>th</sup> day of No	PRIME PROPERTIES DEVELOPMENT CO., an Illinois corporation  By:  Jakub Kosiba, President  vember, 2012
Notary Public  My Commission Expires: 8	OFFICIAL SEAL ABIGAIL M SEPER NOTARY PUBLIC - STATE OF ILLINOIS MY COMMISSION EXPIRES:08/11/15
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: November 7 <sup>th</sup> , 2012	GRANTEE: BRT2 PROPERTY, LLC, an Illinois limited liability company  By: Name: Scott Goldman Title: Manager
Subscribed and sylorn to before me this 7th day of No Notaty Public  My Commission Expires: 25/2013	OFFICIAL SEAL MICHELLE E CROCKETT Notary Public - State of Illinois My Commission Expires Feb 5, 2013
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.