### **UNOFFICIAL COPY**



### SPECIAL WARRANTY DEED

Doc#: 1404141005 Fee: \$100.00 RHSP Fee:\$9.00 RPRF Fee: \$1.00

Karen A. Yarbrough

Cook County Recorder of Deeds
Date: 02/10/2014 09:46 AM Pg: 1 of 12

Document Number

P35636021026

Document Name

SPECIAL WARRANTY DEED

THIS DEED, made between ARLINGTON INDUSTRIAL CENTER, LLC an Illinois limited liability company ("Grantor," whether one or more), and GOLF ALGONQUIN, LLC, an Illinois limited liability company ("Grantee", whether one or more). Grantor, for a valuable consideration, conveys to Grantee the

an Illinois limited liability company ("Grantee", whether one or more). Grantor, fc. a valuable consideration, conveys to Grantee the following described real estate, in Cook County, State of Illinois ("Property") (if more space is needed, please attach addendum):

LEGALDESCRIPTION IS ATTACHED HERETO AS EXHIBIT "A"

Grantor warrants that the title to the Property is good, indefeasible in fee simple and free and clear of encumbrances, subject to Exhibit B (Permitted Title Exceptions).

Recording Area

Property addess:501W Golf Road and 702 W Algonquin Road, Arlington Heights, IL 60005

08-16-101-007-0000

08-16-200-117-0000 Parcel Identification Number (PIN)

This is not homestead property.

Dated :JANUARY 17, 2014

HOOD (SEAL)

Donald Joseph, authorized signatory

\_\_\_\_\_(SEAL)

Richard Robin, authorized signatory

ACKNOW! EDGMENT

Prepared by:

Gerald M. Tenner, attorney-at-law

300 South Wacker Drive

Suite 1700

Chicago, IL 60606

STATE OF ILLINOIS

COOK COUNTY

Personally came before me on JANUARY 17,2014, the above-named Donald R. Joseph and Richard Robin to the known to be the person(s) who executed the foregoing instrument and aclimpwledged the same.

Dring M. Meelels

DAMN W. SHIELDS

Notary Public, State of Illinois

My Commission (is permanent) (expires:///29//4)

Box 400-CTCC COFFI

"OFFICIAL SEAL"
Dawn M. Shields
Notary Public, State of Illinois
My Commission Expires 11/29/2014

### UNOFFICIAL CO

### **SPECIAL WARRANTY DEED**

Document Number

SPECIAL WARRANTY DEED

Document Name

THIS DEED, made between ARLINGTON INDUSTRIAL CENTER, LLC an Illinois limited liability company

("Grantor," whether one or more), and GOLF ALGONQUIN, LLC, an Illinois limite? l'ability company ("Grantee", whether one or more). Grantor, for a valuable consideration, conveys to Grantee the following described real estate, in Cook County, State of Illinois ("Property") (if more space is needed, please attach addendum):

**EXHIBIT "A"** 

LEGALDESCRIPTION IS ATTACHED HERETO AS

Recording Area

Property addess:501W Golf Road and 702 W Algonquin Road, Arlington Heights, IL 60005

08-16-101-007-0000

08-16-200-117-0000 Parcel Identification Number (PIN)

County Clark's This is not homestead property.

Grantor warrants that the title to the Property i good, indefeasible in fee simple and free and clear of encumbrances, subject to Exhibit B (Permitted Title Exceptions).

Dated: JANUARY 17, 2014

(SEAL)

Donald Joseph, authorized signatory

(SEAL)

Richard Robin, authorized signatory

ACKNOWLEDGMENT

Prepared by:

Gerald M. Tenner, attorney-at-law

300 South Wacker Drive

**Suite 1700** 

Chicago, IL 60606

STATE OF ILLINOIS

COOK COUNTY

Personally came before me on JANUARY,7,2014, the above-named Donald R. Joseph and Richard Robin to me known to be the person(s) who executed the foregoing instrument and adknowledged the same.

DAWN M. SHIELDS

Notary Public, State of Illinois

My Commission (is permanent) (expires: 11/29/14

"OFFICIAL SEAL" Dawn M. Shields Notary Public, State of Illinois My Commission Expires 11/29/201

01/22/2014 **REAL ESTATE TRANSFER** COOK \$875.00 ILLINOIS: \$1,750.00 TOTAL: \$2,625.00

08-16-101-007-0000 | 20140101603216 | 4KRFKS

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### **UNOFFICIAL COPY**

After Recording Return To:

Daniel Bronson

150 N Wacker Dr.

**Suite 1400** 

Chicago, IL 60606

Mail Future Tax Bills To:

Golf Algonquin, LLC

970 N. Oak Lawn Ave.

Elmhurst, IL 60126

COOK COUNTY
RECORDER OF DEEDS
SCANNED BY

COOK COUNTY
RECORDER OF DEEDS
SCANNED BY

1404141005D Page: 4 of 12

### **UNOFFICIAL COPY**

### **EXHIBIT A**

#### **LEGAL DESCRIPTION**

COOK COUNTY

RECORDER OF DEEDS

SCANNED BY

GOOK COUNTY
RECORDER OF DEEDS
SCANNED BY

1404141005D Page: 5 of 12

### **UNOFFICIAL COPY**

# CHICAGO TITLE INSURANCE COMPANY OWNER'S POLICY (2006) SCHEDULE A (CONTINUED)

POLICY NUMBER: 1401 - 008935636 - D2

#### 5. THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS FOLLOWS:

#### PARCEL 1:

THAT PART OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE NORTH LINE OF SECTION 16 AFORESAID, 45 LINKS (29.70 FEET) WESTERLY OF THE NORTHEAST CORNER OF LOT 4 IN THE SCHOOL TRUSTEES' SUBDIVISION OF SECTION 16 AFORESAID; THENCE SOUTH 32 DEGREES WEST ALONG A LINE (HEREINAFTER REFERRED TO AT LINE 'A') FOR A DISTANCE OF 239.50 FEET TO THE POINT OF BEGINNING OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTH 32 DEGREES WEST 432.52 FEET TO A POINT IN THE NORTHEASTERLY LINE OF ALGONQUIN ROAD DEDICATED AS SHOWN ON DOCUMENT 11195785 RECORDED FEBRUARY 2, 1933; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE (BEING A CURVED LINE CONVEX NORTHEASTERLY AND HAVING A RADIUS OF 9649.33 FEET) FOR A DISTANCE OF 443.02 FEET TO A LINE THAT IS 220.50 FEET (AS MEASURED ALONG THE CENTER LINE OF ALGONQUIN ROAD HEREINBEFORE DESCRIBED) NORTHWESTERLY OF AND PARALLEL WITH A LINE WHICH MAKES AN ANGLE OF 58 DEGREES (MEASURED FROM WEST TO THE SOUTH WEST) WITH THE NORTH LINE OF SECTION 16 AFORESAID DRAWN FROM A POINT IN SAID NORTH LINE 660.34 FEET EASTERLY OF THE MORTH QUARTER CORNER OF SECTION 16 AFORESAID; THENCE NORTH 31 DEGREES 01 MINUTES 40 SECONDS EAST ALONG SAID PARALLEL LINE 206.0 FEET TO A POINT 258.0 FEET NORTHEASTEFLY EROM THE INTERSECTION OF THE LAST DESCRIBED PARALLEL LINE AND THE CENTER LINE OF ALGONQUIN ROAD; THENCE SOUTH 65 DEGREES 42 MINUTES 09 SECONDS EAST 212.39 FZET TO A POINT IN THE LINE HEREINBEFORE DESCRIBED AS MARKING AN ANGLE OF 58 DEGREES WITH THE NORTH LINE OF SECTION 16 AFORESAID, SAID POINT BEING 946.63 FEET SOUTH 32 DEGREES 01 MINUTES 40 SECONDS WEST FROM THE AFOREMENTIONED POINT IN THE NORTH LINE OF SECTION 16 AFORESAID 660.34 FEET EASTERLY OF THE NORTH QUARTER CORNER THEREOF; THENCE NORTH 31 DEGREES 01 MINUTES 40 SECONDS EAST ALONG SAID 58 DEGREE LINE 304.18 FEET TO A LINE PERPENDICULAR TO LINE 'A' HEREINBEFORE DESCRIBED AND DRAWN THROUGH THE POINT OF BEGINNING; THENCE NORTH 58 DEGREES WEST ALONG SAID PERPENDICULAR LINE 631.91 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

THAT PART OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE NORTH LINE OF SECTION 16, AFORESAID, 658.54 FEET EASTERLY OF THE NORTH QUARTER CORNER THEREOF; THENCE WESTERLY ALONG SAID NORTH LINE 738.44 FEET TO A POINT 45 LINKS WESTERLY OF THE NORTHEAST CORNER OF LOT 4 IN SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16 AFORESAID; THENCE SOUTH 32 DEGREES WEST ALONG A LINE (HEREINAFTER REFERRED TO AS LINE 'A') FOR A DISTANCE OF 239.50 FEET; THENCE SOUTH 58 DEGREES EAST PERPENDICULAR TO LAST DESCRIBED LINE 619.50 FEET TO A LINE PARALLEL WITH LINE 'A' HEREINBEFORE MENTIONED AND DRAWN THROUGH THE POINT OF BEGINNING; THENCE NORTH 32 DEGREES EAST ALONG SAID PARALLEL LINE 641.38 FEET TO THE

(CONTINUED)

#### THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED

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# CHICAGO TITLE INSURANCE COMPANY OWNER'S POLICY (2006) SCHEDULE A (CONTINUED)

POLICY NUMBER: 1401 - 008935636 - D2

5. THE LAND REFERRED TO IN THIS POLICY IS DESCRIBED AS FOLLOWS (CONTINUED):
POINT OF BEGINNING, EXCEPT THEREFROM THAT PART DEDICATED FOR GOLF ROAD AS PER
DOCUMENT NUMBER 10488007 RECORDED SEPTEMBER 24, 1929, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

EASEMENTS OF THE BENEFIT OF PARCELS 1 AND 2 AS CREATED BY PARAGRAPH 3(a) AND FOR THE BENEFIT OF PARCEL 2 AS CREATED BY PARAGRAPH 3(b) OF THE STORM SEWER AND DETENTION BAS N EASEMENT AGREEMENT RECORDED JULY 17, 1978 AS DOCUMENT 24538271.

(6)

THIS POLICY VALID ONLY IF SCHEDULE B IS ATTACHED

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#### **EXHIBIT B**

### TITLE EXCEPTIONS

RECOMBENEDS
SCANNED BY

COOK COUNTY
CORDER OF DEEDS

COOK COUNTY
RECORDER OF DEEDS
SCANNED BY

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### UNOFFICIAL CC

### CHICAGO TITLE INSURANCE COMPANY

### OWNER'S POLICY (2006) SCHEDULE B

POLICY NUMBER: 1401 - 008935636 - D2

#### **EXCEPTIONS FROM COVERAGE**

COSTS, ATTORNEY'S FEES OR EXPENSES THAT ARISE BY REASON OF:

#### **GENERAL EXCEPTIONS:**

- (1) RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC R
- (2) ANY ENCYOACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OF ADVERSE CIRCUMS PANCE AFFECTING THE TITLE THAT WOULD BE DISCLOSED BY AN ACCURATE AND COMPLETE LAND SURVEY OF THE LAND.
- (3) EASEMENTS, OR CLAIMS OF EASEMENTS, NOT SHOWN BY JUBLIC RECORDS.
- (4) ANY LIEN, OR RIGHT TO A LIEN, FOR SERVICES, LABOR OR MATERIAL HERETOFORE OR HEREAFTER FURNISHFO, IMPOSED BY LAW AND NOT SHOWN BY THE PUBLIC RECORDS.
- (5) TAXES OR SPECIAL ASSESSMENTS WHICH ARY NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS.
- 6. NOTE: THIS IS A PRO FORMA POLICY FURNISHED TO OR ON BEHALF OF THE PARTY TO BE INSURED. IT DOES NOT REPRESENT THE PRESENT STATE OF TITLE AND IS NOT A COMMITMENT TO INSURE THE STATE OR INVEREST AS SHOWN HEREIN, NOR DOES IT EVIDENCE THE WILLINGNESS OF THE COMPANY TO PROVIDE ANY AFFIRMATIVE COVERAGE ANY SUCH COMMITMENT MUST BE AN EXPRESS WRITTEN UNDERTAKING ON SHOWN HEREIN. The Clark's APPROPRIATE FORMS THE COMPANY.

7.

TAXES FOR THE YEAR(S) 2013 AND SUBSEQUENT 2013 TAXES ARE NOT YET DUE OR PAYABLE.

STAT YEAR 1ST INST STAT 2ND INST PCL PERM TAX# PAID \$57,751.29 PAID 1 OF 2 2012 \$120,983.20 08-16-101-007-0000

AFFECTS PARCEL 1 PAID 2012 \$138,161.75 PAID \$55,288.51 08-16-200-117-0000 2 OF 2

**AFFECTS PARCEL 2** 

8. MORTGAGE DATED OCTOBER 6, 2006 AND RECORDED OCTOBER 17, 2006 AS DOCUMENT

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### CHICAGO TITLE INSURANCE COMPANY **OWNER'S POLICY (2006) SCHEDULE B**

POLICY NUMBER: 1401 - 008935636 - D2

#### **EXCEPTIONS FROM COVERAGE (CONTINUED)**

0629042152 MADE BY ARLINGTON INDUSTRIAL CENTER, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY TO RELIASTAR LIFE INSURANCE COMPANY, A MINNESOTA CORPORATION TO SECURE A NOTE FOR \$6,000,000.00.

- 9. ASSIGNMENT OF RENTS RECORDED OCTOBER 17, 2006 AS DOCUMENT NO. 0629042153 MADE U BY ARLINGTON INDUSTRIAL CENTER, LLC, AN ILLINOIS LIMITED LIABILITY COMPANY TO RELIASTAR LIFE INSURANCE COMPANY, A MINNESOTA CORPORATION.
- 10. SECURITY INTEREST OF RELIASTAR LIFE INSURANCE COMPANY, A MINNESOTA CORPORATION SECURED PARTY, IN CERTAIN DESCRIBED CHATTELS ON THE LAND. AS DISCLOSED BY FINANCING STATEMENT NAMING ARLINGTON INDUSTRIAL CENTER, LLC. AN ILLINOIS LIMITED L'ABILITY COMPANY AS DEBTOR AND RECORDED OCTOBER 17, 2006 AS DOCUMENT NO. 0629 342154.

CONTINUATION RECORDED OCTOBER 13, 2011 AS DOCUMENT 1128603083.

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EXISTING UNRECORDED LEASES AND ALL RIGHTS THEREUNDER OF THE LESSES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH ON JUDGE THE LESSEES.

- 12. (A) TERMS, PROVISIONS, AND CONDITIONS RELATING TO THE EASEMENT DESCRIBED AS PARCEL 3 CONTAINED IN THE INSTRUMENT CREATING SAID EASEMENT.
  - (B) RIGHTS OF THE ADJOINING OWNER OR OWNERS TO THE CONCURRENT USE OF SAID EASEMENT.
- 13. NOTHING CONTAINED HEREIN SHOULD BE CONSTRUED AS INSURING THE EXACT LOCATION OR DIMENSIONS OF THE EASEMENT DESCRIBED AS PARCEL 3 OF SCHEDULE A
- K 14. EASEMENT FOR AN 8 INCH SANITARY SEWER MAIN TOGETHER WITH THE NECESSARY APPURTENANCES ON, UNDER, ALONG AND ACROSS THE NORTHWESTERLY 10 FEET OF THE LAND AND OTHER PROPERTY AS GRANTED TO THE VILLAGE OF ARLINGTON HEIGHTS AND SHOWN IN GRANT RECORDED AUGUST 26, 1966 AS DOCUMENT 19927908 AS SHOWN ON THE SURVEY BY ARTHUR R. OLSON & COMPANY DATED SEPTEMBER 23, 2006.

(AFFECTS THE NORTHWESTERLY 10.00 FEET OF PARCELS 1 AND 2)

15. EASEMENT IN, UPON, UNDER, OVER AND ALONG THE LAND AS MARKED EXHIBIT 'A' AND MADE A PART THEREOF OF THE LAND TO INSTALL AND MAINTAIN ALL EQUIPMENT FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY WITH TELEPHONE AND ELECTRIC SERVICE, TOGETHER WITH RIGHT OF ACCESS TO SAID EQUIPMENT, AS CREATED BY GRANT TO COMMONWEALTH EDISON COMPANY AND ILLINOIS BELL TELEPHONE COMPANY RECORDED OCTOBER 9, 1973 AS DOCUMENT 22505034.

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## CHICAGO TITLE INSURANCE COMPANY OWNER'S POLICY (2006)

SCHEDULE B

POLICY NUMBER: 1401 - 008935636 - D2

#### **EXCEPTIONS FROM COVERAGE (CONTINUED)**

(AND AS SHOWN ON THE SURVEY BY ARTHUR R. OLSON & COMPANY DATED SEPTEMBER 23, 2006)

16. EASEMENT IN, UPON, OVER AND ALONG THE LAND AS MARKED EXHIBIT 'A' AND MADE A PART THEREOF TO INSTALL AND MAINTAIN ALL EQUIPMENT FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY WITH GAS SERVICE, TOGETHER WITH RIGHT OF ACCESS TO SAID EQUIPMENT, AS CREATED BY GRANT TO NORTHERN ILLINOIS GAS COMPANY RECORDED OCTOBER 9, 1973 AS DOCUMENT 22505300.

(AND AS SHOWN ON THE SURVEY BY ARTHUR R. OLSON & COMPANY DATED SEPTEMBER 23, 2006)

17. EASEMENT IN, UPOIL UNDER, OVER AND ALONG THE LAND MARKED AS EXHIBIT 'A' TO INSTALL AND MAINTAIN ALL EQUIPMENT FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY WITH TELEPHONE AND ELECTRIC SERIVCE, TOGETHER WITH RIGHT OF ACCESS TO SAID EQUIPMENT, AS CREATED BY GRANT TO THE COMMONWEALTH EDISON COMPANY AND THE ILLING!S BELL TELEPHONE COMPANY RECORDED NOVEMBER 4, 1974 AS DOCUMENT 22896646.

(AND AS SHOWN ON THE SURVEY LY ARTHUR R. OLSON & COMPANY DATED SEPTEMBER 23, 2006)

18. EASEMENT AND RIGHT TO ENTER UPON, DIS, LAY, ERECT, CONSTRUCT, INSTALL, RECONSTRUCT, RENEW, AND TO OPERATE, MAINTAIN, PATROL, REPAIR, REPLACE, AND CONTINUE A STORM SEWER LINE, INCLUDING, 50% NOT LIMITED THERETO, MANHOLES, AS A PART OF A STORM SEWER SYSTEM UNDER, UPON, GYER AND ACROSS THAT PART OF LAND DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT IN THE NORTH LINE OF THE NORTHEAST 2/4 OF SECTION 16 AFORESAID 660.34 FEET EAST OF THE NORTHWEST CORNER THEREOF; THENCE SOUTHWESTERLY ALONG A DIAGONAL LINE WHICH FORMS AN ANGLE OF 38 DEGREES WITH THE NORTH LINE OF SAID NORTHEAST 1/4, A DISTANCE OF 923.80 FEET TO THE POINT OF BEGINNING OF LAND HEREIN DESCRIBED; THENCE CONTINUE SOUTHWESTERLY ALONG SAID LINE 10.07 FEET; THENCE NORTHWEST ALONG A LINE FORMING AN ANGLE OF 83 DEGREES 16 MINUTES 11 MINUTES WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, A DISTANCE OF 41.0 FEET; THENCE NORTHEASTERLY AT RIGHT ANGLES OF 10.0 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES THERETO 42.18 FEET TO THE POINT OF BEGINNING IN COOK COUNTY, ILLINOIS;

AS CREATED BY GRANT FROM EXCHANGE NATIONAL BANK OF CHICAGO AS TRUSTEE UNDER TRUST AGREEMENT DATED MAY 2, 1973 AND KNOWN AS TRUST NUMBER 27652 TO A. O. SMITH HARVESTONE PRODUCTS, INC., A CORPORATION OF DELAWARE, DATED AUGUST 14, 1973 AND RECORDED SEPTEMBER 13, 1973 AS DOCUMENT 22477015.

(AFFECTS A 10 FOOT STRIP OF LAND LOCATED AT THE MOST EASTERLY SOUTHEAST CORNER OF PARCEL 1 AND AS SHOWN ON THE SURVEY BY ARTHUR R. OLSON & COMPANY DATED SEPTEMBER 23, 2006)

P 19. ONSITE UTILITY MAINTENANCE AGREEMENT DATED JULY 13, 1978 AND RECORDED JULY 18,





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### UNOFFICIAL COPY

### CHICAGO TITLE INSURANCE COMPANY **OWNER'S POLICY (2006)**

**SCHEDULE B** 

POLICY NUMBER: 1401 - 008935636 - D2

### **EXCEPTIONS FROM COVERAGE (CONTINUED)**

1978 AS DOCUMENT 24539139 MADE BY AND BETWEEN THE EXCHANGE NATIONAL BANK OF CHICAGO AS TRUSTEE UNDER TRUST NUMBER 29531 AND THE VILLAGE OF ARLINGTON HEIGHTS, AND THE AGREEMENTS PROVISIONS AND CONDITIONS THEREIN CONTAINED.

(AFFECTS PARCEL 2, EXCEPT THE SOUTHEASTERLY 8 FEET THEREOF)

20. ONSITE UTILITY MAINTENANCE AGREEMENT DATED JULY 13, 1978 AND RECORDED JULY 18, 1978 AS DOCUMENT 24539140 MADE BY AND BETWEEN THE EXCHANGE NATIONAL BANK OF CHICAGO AS TRUSTEE UNDER TRUST NUMBER 27652 AND THE VILLAGE OF ARLINGTON HEIGHTS, AND THE AGREEMENTS PROVISIONS AND CONDITIONS THEREIN CONTAINED.

(AFFECTS PAPCE). 1)

21. STORM SEWER AND SEVENTION BASIN EASEMENT AGREEMENT MADE BY EXCHANGE NATIONAL BANK OF CHICAGO, AS TRUSTEE UNDER TRUST NUMBERS 27652, 29531 AND 31675 DATED JULY 13, 1978 AND RECORDED JULY 17, 1978 AS DOCUMENT 24538271, AND THE AGREEMENTS, PROVISIONS AND CONDITIONS THEREIN CONTAINED.

(AFFECTS THE LAND AND OTHER PROPERTY)

22. GRANT DATED APRIL 5, 1977 AND RECORDED APRIL 28, 1977 AS DOCUMENT 23905736 FROM THE EXCHANGE NATIONAL BANK OF CLICAGO, AS TRUSTEE UNDER TRUST NUMBER 31675 TO THE ILLINOIS BELL TELEPHONE COMPANY AND THE COMMONWEALTH EDISON COMPANY FOR EASEMENT FOR ELECTRIC AND TELEPHONE FACILITIES.

(AFFECTS PARCEL 3)

23. AMENDED ONSITE UTILITY MAINTENANCE AGREEMENT DATED JULY 13, 1978 AND RECORDED JULY 17, 1978 AS DOCUMENT NUMBER 24538272 BY AND BETWEEN EXCHANGE NATIONAL BANK OF CHICAGO, A A NATIONAL BANKING ASSOCIATION, AS TRUSTEE UNDER TRUST AGREEMENT DATED SEPTEMBER 20, 1976 AND KNOWN AS TRUST NUMBER 31675 AND VILLAGE OF ARLINGTON HEIGHTS RELATING TO MAINTENANCE OF SANITARY SEWERS, STORM SEWERS, WATER MAINS, STORM WATER DETENTION BASIN, AND APPURTENANCES

(AFFECTS PARCEL 3)

24. WE HAVE EXAMINED THE PLAT OF SURVEY BY ARTHUR R. OLSON & COMPANY DATED SEPTEMBER 23, 2006 AND NOTE THE FOLLOWING:

> IT IS UNCLEAR AS TO THE OWNERSHIP OF THE FENCE ALONG THE SOUTH LINE OF THE LAND MEANDERING BETWEEN BOTH THE LAND INSURED HEREIN AND THE PROPERTY SOUTH AND ADJOINING.

25. ENCROACHMENT OF THE BUILDING LOCATED ON PARCEL 1 OVER THE EASEMENT RECORDED AS AY DOCUMENT NUMBER 22505034 AND OF THE BUILDING ON PARCEL 2 OVER THE EASEMENT RECORDED AS DOCUMENT NUMBER 22896646 AS SHOWN ON THE SURVEY BY ARTHUR R. OLSON & COMPANY DATED SEPTEMBER 23, 2006.

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1404141005D Page: 12 of 12

#### PLAT ACT AFFIDAVIT

STATE OF ILLINOIS

} SS

COUNTY OF COOK

Gerald M. Tenner, being duly sworn on oath, states that he resides at 300 South Wacker Drive, Chicago, IL 60606. That the attached deed is not in violation of 765 ILCS 205/1 for one of the following reasons:

- Said Act is not applicable as the grantors own no adjoining property to the premises described in said deed; OR the conveyance falls in one of the following exemptions as shown by Amended Act which became effective July 17, 1959.
  - The division or subdivision of the land into parcels or tracts of five acres or more of size which does not involve any new streets or 2. easements of access.
  - The division of lots or blocks of less than one acre in any recorded subdivision which does not involve any new streets or easements 3.
  - The sale or exchange of parcels of land between owners of adjoining and contiguous land. 4.
  - The conveyance of parcels of land or interest, therein for use as right of way for railroads or other public utility facilities, which 5. does not involve any new streets or easement of Pacess.
- The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access. 6.
- The conveyance of land for highway or other public purpores or grants or conveyances relating to the dedication of land for public 7. use or instruments relating to the vacation of land impressed win public use.
- 8. Conveyances made to correct descriptions in prior conveyances.
- The sale or exchange of parcels or tracts of land existing on the date of the amendatory Act into no more than two parts and not 9. involving any new streets or easements of access.

CIRCLE NUMBER ABOVE WHICH IS APPLICABLE TO ATTACHED DEED

Affiant further states that he makes this affidavit for the purpose of inducing the Recorder of Deeds of Cook County, Illinois, to accept the attached deed for recording.

Gerald M. Tenner

SUBSCRIBED AND SWORN to before me

day of January, 2014,

Notary Public

"OFFICIAL SEAL" Dawn M. Shields

Notary Public, State of Illinois

My Commission Expires 11/29/2014