

# UNOFFICIAL COPY



## SPECIAL WARRANTY DEED

Doc#: 1416029045 Fee: \$46.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 06/09/2014 12:58 PM Pg: 1 of 5

For the consideration of the sum of Ten Dollars and No Cents (\$10.00) and other valuable considerations received, 1646 RIVER STREET LLC, an Illinois limited liability company (hereinafter referred to as the "Grantor") does hereby convey to: (i) BES Kingston Pointe Fund IX LLC, a Delaware limited liability company an undivided Forty Percent (40%) tenant in common interest, and (ii) BES Kingston Pointe Fund X LLC, a Delaware limited liability company, an undivided Sixty Percent (60%) tenant in common interest, in all of Grantor's right title and interest in and to the following described real property (the "Property") situated in Cook County, Illinois, together with all improvements thereon and all of Grantor's interest in any rights and privileges appurtenant thereto:

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

SUBJECT TO: the permitted exceptions set forth on Exhibit B attached hereto and by this reference made a part hereof.

AND GRANTOR hereby binds itself and its successors to warrant and defend the title against all of the acts of Grantor and anybody claiming by, through or under Grantor and no other, subject to the matters set forth above.

IN WITNESS WHEREOF, Grantor has caused has caused this Special Warranty Deed to be executed as of the 29<sup>th</sup> day of May, 2014

SB  
05  
28  
14  
REAL ESTATE TRANSFER TAX NO. 55177 \$ 2.00 PER 1,000.00  
1646 RIVER ST  
CITY OF DES PLAINES

1646 RIVER STREET LLC, an Illinois limited liability company  
By: MDC Arizona Corp., an Illinois corporation,  
Its Manager

By: *Sheldon J. Mandell*  
Sheldon J. Mandell, President

REAL ESTATE TRANSFER	06/09/2014
COOK	\$17,400.00
ILLINOIS:	\$34,800.00
TOTAL:	\$52,200.00

09-16-302-027-0000 | 20140501605428 | BFSJLS

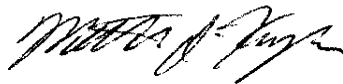
2014 14000030639 MAA

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STATE OF ILLINOIS )  
 )  
COUNTY OF COOK )

I, Matthew Hughes, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Sheldon J. Mandell President of MDC Arizona Corp., an Illinois corporation as manager of 1646 River Street LLC, an Illinois limited liability company, personally known to me to be the person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that he signed, sealed and delivered the said instrument as his free and voluntary act, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 29<sup>th</sup> day of May, 2014.



**THIS INSTRUMENT WAS PREPARED BY:**

Benjamin J. Randall, Esq.  
Randall & Kenig LLP  
455 North Cityfront Plaza Drive  
NBC Tower – Suite 2510  
Chicago, Illinois 60611

**AFTER RECORDING RETURN TO:**

Barry A. Comin  
Much Shelist, P.C.  
191 North Wacker Drive  
Suite 1800  
Chicago, Illinois 60606



**SEND SUBSEQUENT TAX BILLS TO:**

Benj. E. Sherman & Sons, Inc.  
500 Lake Cook Road  
Suite 280  
Deerfield, Illinois 60015  
Attention: Mark Gluskin.

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## EXHIBIT A

### PROPERTY DESCRIPTION

LOTS 1 AND 2 (EXCEPT THAT PART OF LOT 2 TAKEN BY THE DES PLAINES PARK DISTRICT AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE SOUTH 90 DEGREES WEST ALONG THE SOUTH LINE OF SAID LOT 2; 1.82 FEET TO A POINT ON A NON-TANGENT CURVE; THENCE NORTH AND WEST ALONG AN 84.67 FOOT RADIUS CURVE TO THE LEFT WITH A CHORD THAT BEARS NORTH 29 DEGREES 16 MINUTES 45 SECONDS WEST, AN ARC DISTANCE OF 74.93 FEET TO A POINT OF TANGENCY; THENCE NORTH 55 DEGREES 07 MINUTES 09 SECONDS WEST, 164.52 FEET TO A POINT OF CURVATURE; THENCE NORTHWEST AND WEST ALONG A 30.17 FOOT RADIUS CURVE TO THE LEFT WITH A CHORD THAT BEARS NORTH 73 DEGREES 04 MINUTES 04 SECONDS WEST, AN ARC DISTANCE OF 18.90 FEET TO A POINT ON A PERIMETER LINE OF SAID LOT 2 WHICH IS 0.15 FEET NORTHERLY OF A CORNER OF SAID LOT 2; THENCE NORTH 13 DEGREES 36 MINUTES 07 SECONDS WEST ALONG AN EXTERIOR LINE OF SAID LOT 2, 111.06 FEET TO A CORNER OF SAID LOT 2; THENCE NORTH 87 DEGREES 04 MINUTES 40 SECONDS EAST ALONG THE NORTHERNMOST LINE OF SAID LOT 2, 218.22 FEET TO THE NORTHEAST CORNER OF SAID LOT 2, THENCE SOUTH 00 DEGREES 22 MINUTES 33 SECONDS WEST ALONG THE EAST LINE OF SAID LOT 2, 281.71 FEET TO THE POINT OF BEGINNING) IN RIVER PLAINES CONDOMINIUMS, A PLANNED UNIT DEVELOPMENT OF PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MAY 16, 2007 AS DOCUMENT 0713615133, IN COOK COUNTY, ILLINOIS

Permanent Real Estate Index Number: 09-16-302-027-0000

Address of premises: 1646 River Street, Des Plaines, Illinois 60016

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## EXHIBIT B TO DEED PERMITTED TITLE EXCEPTIONS

1. TERMS AND PROVISION CONTAINED IN THE CITY OF DES PLAINES ORDINANCE Z-14-06 RECORDED AS DOCUMENT NUMBER 0713615133 GRANTING A REQUEST FOR FINAL APPROVAL OF A PLANNED UNIT DEVELOPMENT AND PERMITTED PLANNED UNIT DEVELOPMENT BULK EXCEPTIONS FOR THE NORTHWEST CORNER OF RIVER ROAD AND RIVER STREET, DES PLAINES, ILLINOIS.
2. EASEMENTS IN FAVOR OF AT&T THE COMMON WEALTH EDISON COMPANY, NORTHERN ILLINOIS GAS COMPANY AND COMCAST AND THE MUNICIPALITY AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN ALL EQUIPMENT NECESSARY FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY, TOGETHER WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT, AND THE PROVISIONS RELATING THERETO CONTAINED IN THE GRANT IN THE RIVER PLAINES CONDOMINIUMS PLANNED UNIT DEVELOPMENT PLAT ATTACHED TO THE ORDINANCE RECORDED MAY 16, 2007 AS DOCUMENT 0713615133.
3. EASEMENT IN FAVOR OF CITY OF DES PLAINES FOR THE PURPOSE OF INGRESS AND EGRESS FOR EMERGENCY VEHICLES AS CREATED THE FIRE LANE DEPICTION ON THE RIVER PLAINES CONDOMINIUMS PLANNED UNIT DEVELOPMENT PLAT ATTACHED TO THE ORDINANCE RECORDED MAY 16, 2007 AS DOCUMENT 0713615133.
4. BUILDING SETBACK LINE(S) AS SHOWN ON THE RIVER PLAINES CONDOMINIUMS PLANNED UNIT DEVELOPMENT PLAT ATTACHED TO THE ORDINANCE RECORDED MAY 16, 2007 AS DOCUMENT 0713615133.
5. MAINTENANCE COVENANT RELATING TO MAINTENANCE OF LANDSCAPING INCLUDING MOWING THE GRASS ALONG RIVER STREETS AND DES PLAINES RIVER ROAD PARKWAY (THE AREA BETWEEN THE PUBLIC WALK AND THE STREET PAVEMENT) AS CONTAINED IN THE PLAINES CONDOMINIUMS PLANNED UNIT DEVELOPMENT PLAT ATTACHED TO THE ORDINANCE RECORDED MAY 16, 2007 AS DOCUMENT 0713615133, AS AMENDED TO ADD THIS MAINTENANCE COVENANT BY CERTIFICATE OF CORRECTION RECORDED MAY 14, 2010 AS DOCUMENT 1013429058.
6. EASEMENT IN FAVOR OF COMCAST OF ILLINOIS XI, LLC, AND ITS RESPECTIVE SUCCESSORS AND ASSIGNS, TO INSTALL, OPERATE AND MAINTAIN ALL EQUIPMENT NECESSARY FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY TOGETHER WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT, AND THE PROVISIONS RELATING THERETO CONTAINED IN THE GRANT OF EASEMENT FROM RIVER PLAINES ASSOCIATES, LLC RECORDED DECEMBER 18, 2007 AS DOCUMENT NO. 07352535125.
7. RIGHTS OF TENANTS IN POSSESSION UNDER UNRECORDED LEASES, AS TENANTS ONLY, WITHOUT RIGHTS OF FIRST REFUSAL OR RIGHTS TO PURCHASE.
8. EASEMENT IN FAVOR OF DES PLAINES PARK DISTRICT FOR THE PURPOSE OF INGRESS AND EGRESS FOR VEHICULAR ACCESS FOR MAINTENANCE AND EMERGENCY VEHICLES ONLY AND FOR PEDESTRIAN ACCESS TO THE GENERAL PUBLIC FOR THE BENEFIT OF THE LAND CONVEYED TO THE PARK DISTRICT BY DEED RECORDED NOVEMBER 10, 2009 AS

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DOCUMENT 0931457202 AS GRANTED INI SAID DEED, AND THE TERMS AND PROVISIONS CONTAINED THERE IN.

9. MATTERS DISCLOSED BY SURVEY PREPARED BY WEBSTER, MCGRATH & AHLBERG, LTD. DATED MAY 9, 2014 AS CERTIFIED BY SAID SURVEYOR ON MAY 20, 2014

Property of Cook County Clerk's Office