

# UNOFFICIAL COPY

## SPECIAL WARRANTY DEED

(Illinois)

**This instrument was prepared by and after recording, please return To:**

Barack Ferrazzano Kirschbaum &  
Nagelberg LLP  
200 W. Madison Street, Suite 3900  
Chicago, Illinois 60606  
Attn: Bryan J. Segal, Esq.

**Send Subsequent Tax Bills To:**  
c/o T2 Capital Management, LLC  
111 W. Wesley Street, Suite #5  
Wheaton, IL 60187



Doc#: 1504419161 Fee: \$54.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Affidavit Fee: \$2.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 02/13/2015 02:57 PM Pg: 1 of 9

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**SCHILLER PARK COMMONS LLC**, an Illinois limited liability company ("**Grantor**"), for and in consideration of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration in hand paid, the receipt whereof is hereby acknowledged, and pursuant to the authority of the undersigned,

**HEREBY CONVEYS and WARRANTS to T2 SCHILLER OWNER, LLC**, an Illinois limited liability company ("**Grantee**"), the following described real property situated in the County of Cook in the State of Illinois, to wit:

See Exhibit A attached hereto and made a part hereof for legal description,

Subject to those exceptions set forth on Exhibit B attached hereto and made a part hereof.

Address: Property Address: 9276-9320 West Irving Park, Schiller Park, Illinois

PINS:

12-15-314-021-0000

12-15-314-022-0000

12-15-314-024-0000

Together with all buildings and improvements located thereon, and all hereditaments 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,

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claim or demand whatsoever, of Grantor, either in law or equity, of, in and to the above described premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto Grantee, its successors and assigns forever.

And Grantor, for itself, and its successors, does covenant, promise and agree, to and with Grantee, its successors and assigns, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner encumbered or charged, except as herein recited and subject to Exhibit B attached hereto and made a part hereof (collectively, the "Permitted Exceptions"); and that it will warrant and defend, subject to the Permitted Exceptions, the title to the said premises, against all persons lawfully claiming, or to claim the same, by, through or under Grantor, but not otherwise.

THIS DEED IS MADE IN LIEU OF FORECLOSURE. IT IS THE INTENT THAT ALL INTEREST OF GRANTOR, INCLUDING THE EQUITY OF REDEMPTION IN SAID REAL PROPERTY, IS HEREBY CONVEYED TO THE GRANTEE.

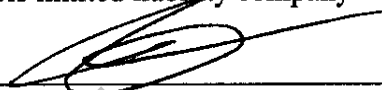
**THIS CONVEYANCE DOES NOT CONSTITUTE A MERGER OF INTEREST WITH ANY MORTGAGE(S) GIVEN BY GRANTOR UNDER WHICH THE GRANTEE OR ITS PREDECESSOR IN INTEREST IS MORTGAGEE, AND THE GRANTEE EXPRESSLY RESERVES ANY AND ALL RIGHTS UNDER ANY SUCH MORTGAGE(S), AND THE LIEN(S) OF SUCH MORTGAGE(S) SHALL NOT BE SATISFIED, RELEASED OR AFFECTED IN ANY WAY BY THE RECORDING OF THIS DEED. THIS CONVEYANCE DOES NOT CONSTITUTE AN EQUITABLE MORTGAGE.**

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IN WITNESS WHEREOF, Grantor has executed the foregoing instrument on this 28 day of ~~December, 2014.~~ January, 2015

**GRANTOR:**

**SCHILLER PARK COMMONS LLC**, an  
Illinois limited liability company

By:   
Name: John Theodosakis, Jr.  
Its: Manager

Exempt under provisions of Paragraph L  
Section 31-45, Property Tax Code.

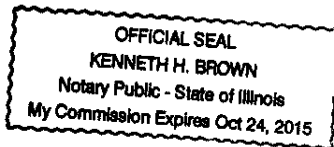
\_\_\_\_\_  
Date Buyer, Seller or Representative

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State of Illinois                    )  
  )SS:  
County of LAW                    )

I, the undersigned, a Notary Public in and for said County, DO HEREBY CERTIFY, THAT John Theodosakis, Jr., personally known to me to be the Manager of Schiller Park Commons 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 duly appointed Manager, he/she signed and delivered the said instrument pursuant to his authority as his free and voluntary act on behalf of the limited liability company.

Given under my hand and official seal this 28<sup>th</sup> day of January, 2015



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## **EXHIBIT A TO SPECIAL WARRANTY DEED**

### **Legal Description**

LOTS 2, 3 AND 5 IN OLD GROVE SHOPPING CENTER RESUBDIVISION, BEING A RESUBDIVISION OF LOTS 1 TO 13, INCLUSIVE, IN OLD GROVE SHOPPING CENTER SUBDIVISION, BEING A SUBDIVISION OF PART OF LOT 7 IN THE SOUTHWEST FRACTIONAL  $\frac{1}{4}$  OF SECTION 15, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO THAT PART OF THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 16, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE WISCONSIN CENTRAL RAILROAD RIGHT OF WAY, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 6, 2011 AS DOCUMENT 1224934031, IN COOK COUNTY, ILLINOIS.

Property Address: 9276-9320 West Irving Park, Schiller Park, Illinois

PINS:

12-15-314-021-0000

12-15-314-022-0000

12-15-314-024-0000

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## **EXHIBIT B TO SPECIAL WARRANTY DEED**

### **PERMITTED EXCEPTIONS**

1. RIGHTS OR CLAIMS OF PARTIES IN POSSESSION NOT SHOWN BY PUBLIC RECORDS.
2. ANY ENCROACHMENT, ENCUMBRANCE, VIOLATION, VARIATION, OR ADVERSE CIRCUMSTANCE 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 PUBLIC RECORDS.
4. 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.
5. TAXES OR SPECIAL ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE PUBLIC RECORDS.
6. MORTGAGE, ASSIGNMENT OF LEASES AND RENTS, SECURITY AGREEMENT AND FIXTURE FILING DATED JULY 24, 2012 AND RECORDED AUGUST 2, 2012 AS DOCUMENT NO. 1221533029 MADE BY SCHILLER PARK COMMONS LLC TO T2 SCHILLER PARK, LLC TO SECURE A NOTE FOR \$6,000,000.
7. SECURITY INTEREST OF T2 SCHILLER PARK, LLC, SECURED PARTY, IN CERTAIN DESCRIBED CHATTELS ON THE LAND, AS DISCLOSED BY FINANCING STATEMENT NAMING SCHILLER PARK COMMONS LLC AS DEBTOR AND RECORDED AUGUST 2, 2012 AS DOCUMENT NO. 1221533030. AMENDMENT RECORDED MARCH 21, 2013 AS DOCUMENT 1308042007 AND AMENDMENT RECORDED NOVEMBER 4, 2013 AS DOCUMENT 1330819102.
8. EXISTING UNRECORDED LEASES AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEES.
9. 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.
10. PLAT ENTITLED, DES PLAINES RIVER ROAD EASEMENT FOR RIGHT OF WAY FOR HIGHWAY PURPOSES IN SECTION 15, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED DECEMBER 19, 1934 AS DOCUMENT 11527429 OVER THE EAST 17 THE OF

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THE WEST 50 FEET OF LOT 7, AND THE NORTH 17 FEET OF THE SOUTH 50 FEET OF LOT 7 OF THE UNDERLYING LAND SIGNED AND SEALED BY THE FOREST PRESERVE DISTRICT OF COOK COUNTY, ILLINOIS AND ALSO BY JULIA M. KOLZE, OWNER OF LOT 7 AND OTHER PROPERTY.

ORDINANCE RECORDED AS DOCUMENT NUMBER 1116729053 AND PLAT OF EASEMENT RELEASE RECORDED AS DOCUMENT NUMBER 1116729054 VACATING THE EASEMENT ALONG THE WEST 17 FEET.

(AFFECTS THE SOUTH 17 FEET)

11. ENCROACHMENT OF THE PARKING SPACES AND SIGN LOCATED ALONG THE SOUTH LAND ONTO THE RIGHT OF WAY EASEMENT SHOWN HEREIN AT EXCEPTION REFERENCE LETTER "N" AS SHOWN ON PLAT OF SURVEY NUMBER 120156.1 PREPARED BY EDWARD J. MOLLOY & ASSOCIATES, LTD DATED AUGUST 15, 2012.

(AFFECTS LOTS 4 AND 5)

12. RIGHTS OF THE PUBLIC AND QUASI-PUBLIC UTILITIES, FOR MAINTENANCE THEREIN OF UNDERGROUND ELECTRIC LINES, STORM CATCH BASIN & INLET & SANITARY MANHOLES, TRAFFIC SIGNS, FIRE HYDRANT WITH B-BOX AS SHOWN ON THE SURVEY PREPARED BY EDWARD J. MOLLOY & ASSOCIATES, LTD. ORDER NO. 120156.1 DATED AUGUST 15, 2012.

13. NOTE AS SHOWN ON PLAT OF OLD GROVE SHOPPING CENTER SHOPPING CENTER RESUBDIVISION RECORDED SEPTEMBER 6, 2011 AS DOCUMENT 1124934031.

NO DIRECT ACCESS TO ILL 19 (IRVING PARK ROAD) FROM LOTS 3 & 4. THERE SHALL BE AT MOST ONE ACCESS TO ILL 19 FROM LOT 5 AS EXIST

14. GRANT OF EASEMENT RECORDED JANUARY 26, 1988 AS DOCUMENT 88037435 MADE BY BANK OF RAVENSWOOD AS TRUSTEE UNDER TRUST NO. 25-8640 TO ILLINOIS BELL TELEPHONE COMPANY, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO CONSTRUCT, RECONSTRUCT, AND TO REMOVE, OPERATE AND MAINTAIN COMMUNICATION SYSTEMS CONSISTING OF SUCH POLES, ANCHORS, GUYS, WIRES, CABLES, CONDUITS, TERMINALS, MANHOLES AND OTHER FIXTURES AS THE GRANTEE MAY FROM TIME TO TIME REQUIRE FOR THE PURPOSE OF TELE-COMMUNICATIONS TOGETHER WITH THE RIGHT OF ACCESS TO THE SAME, INCLUDING THE RIGHT TO CLEAR AND KEEP CLEARED SUCH TREES, ROOTS, BUSHES AND OTHER OBSTRUCTIONS FROM THE EASEMENT WHICH IS TO BE ATTACHED TO THE REAR OF THE BUILDINGS LOCATED ON THE LAND.

(AFFECTS LOT 2)

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15. GRANT OF EASEMENT RECORDED JANUARY 22, 1988 AS DOCUMENT 88034369 MADE BY BANK OF RAVENSWOOD AS TRUSTEE UNDER TRUST AGREEMENT DATED JULY 8, 1987 AND KNOWN AS TRUST NUMBER 25-8640 TO COMMONWEALTH EDISON COMPANY, AN ILLINOIS CORPORATION, ITS SUCCESSORS AND ASSIGNS, AN EASEMENT TO CONSTRUCT, OPERATE, MAINTAIN, RENEW, RELOCATE AND REMOVE FROM TIME TO TIME WIRES, CABLES, CONDUITS, MANHOLES, TRANSFORMERS, PEDESTALS AND OTHER FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, TOGETHER WITH RIGHT OF ACCESS TO THE SAME AND THE RIGHT, FROM TIME TO TIME, TO TRIM OR REMOVE TREES, BUSHES AND SAPLINGS AND TO CLEAR OBSTRUCTIONS FROM THE SURFACE AND SUBSURFACE AS MAY BE REASONABLY REQUIRED IN, OVER, UNDER, ACROSS, ALONG AND UPON THE NORTH 10.00 FEET OF THE SOUTH 24.00 FEET OF THE EAST 20.00 FEET OF THE LAND.

(AFFECTS LOT 2 AND LOT 3)

16. DECLARATION OF EASEMENTS, COVENANTS, CONDITIONS AND RESTRICTIONS RECORDED FEBRUARY 26, 2013 AS DOCUMENT NUMBER 1305713076, RELATING TO EASEMENTS FOR INGRESS AND EGRESS, UTILITIES, PARKING, CONSTRUCTION, AND SIGNAGE; MAINTENANCE; PAYMENT OF OPERATING COSTS; CONSTRUCTION AND DESIGN OF IMPROVEMENTS; RESTRICTIONS; USE RESTRICTIONS AND THE TERMS, PROVISIONS AND CONDITIONS SET FORTH THEREIN.

17. JUDGMENT ENTERED IN CASE NUMBER 14J 50481, A MEMORANDUM OR COPY OF WHICH WAS RECORDED JULY 9, 2014 AS DOCUMENT NUMBER 1419029057, IN FAVOR OF EQUITY TRUST CO., CUSTODIAN F/B/O PAUL W SWANSON IRA AND PAUL W. SWANSON AGAINST SCHILLER PARK COMMONS LLC IN THE AMOUNT OF \$493,450.00.

18. MECHANICS LIEN CLAIM IN FAVOR OF B & C ENTERPRISES, INC. AGAINST SCHILLER PARK COMMONS, LLC RECORDED SEPTEMBER 13, 2013 AS DOCUMENT NUMBER 1325655013 IN THE AMOUNT OF \$69,957.18.

PARTIAL RELEASE HAS BEEN RECORDED NOVEMBER 4, 2013 AS DOCUMENT 1330819099, TO RELEASE LOTS 1, 2, 4 AND 5 ONLY.

(AFFECTS THE LAND AND OTHER PROPERTY – UNDERLYING LAND)

19. PROCEEDING PENDING IN CIRCUIT COURT AS CASE NUMBER 2014CH17701 FILED OCTOBER 31, 2014 BY T2 SCHILLER PARK LLC AGAINST SCHILLER PARK COMMONS LLC FOR MORTGAGE FORECLOSURE.

LIS PENDENS NOTICE RECORDED NOVEMBER 3, 2014 AS DOCUMENT 1430745027.



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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 4, 2015 Signature: [Signature]  
Grantor or Agent

Subscribed and sworn to before me by the

said Adrian Vickovich

this 4<sup>th</sup> day of February

2015

[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 February 4, 2015 Signature: [Signature]  
Grantee or Agent

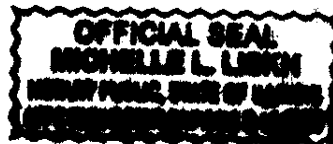
Subscribed and sworn to before me by the

said Grantee

this 4<sup>th</sup> day of February

2015

Michelle L. Liska  
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.]