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Doc#: 1534819066 Fee: \$58.00
RHSP Fee: \$9.00 RPRF Fee: \$1.00
Karen A. Yarbrough
Cook County Recorder of Deeds
Date: 12/14/2015 03:47 PM Pg: 1 of 11

(Space above this line for recording purposes)

When Recorded Return to:

Chicago Title Insurance Company
1515 Market Street, Suite 1325
Philadelphia, PA 19102
Attn: Edwin G. Ditlow

SPECIAL WARRANTY DEED

THIS DEED, made on this 2 day of November, 2015 by NOBLE I SCHAUMBURG, LLC, a Delaware limited liability company ("Grantor"), to ARC HOSPITALITY NBL HYP SCHIL OWNER, LLC, a Delaware limited liability company ("Grantee"), having an address at c/o Crestline Hotels & Resorts, 3950 University Drive, Suite 301, Fairfax, VA 22030, (to include their respective successors, successors-in-title, heirs, executors, administrators, legal representatives, and assigns where the context requires or permits).

WITNESSETH:

Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration in hand paid by Grantee to Grantor at and before the sealing and delivery hereof, the receipt and sufficiency of which are hereby acknowledged, by these presents does hereby grant, bargain, sell, alien, convey and confirm unto Grantee fee simple title to all that tract or parcel of land situated in Cook County, Illinois more particularly described on Exhibit A attached hereto and incorporated herein by this reference (the "Land"), TOGETHER WITH all buildings and other improvements situated thereon or attached thereto and all tenements, hereditaments, improvements, appurtenances, rights, easements, licenses, benefits and rights-of-way appurtenant thereto, including, without limitation, all water and mineral rights, entitlements, development rights and all easements, rights and other interests appurtenant thereto (hereinafter, collectively, the "Property").

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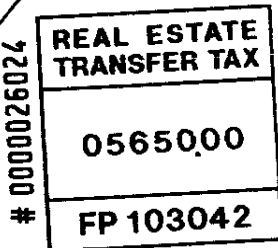
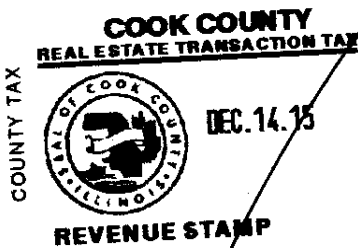
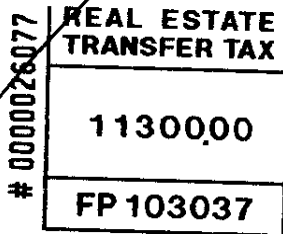
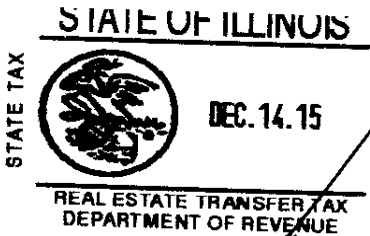
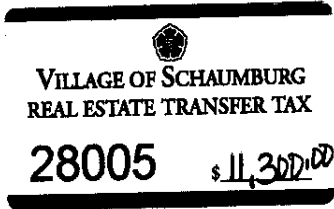
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This conveyance and the warranties of title herein are expressly made subject only to those encumbrances, easements and other matters specifically identified and listed on **Exhibit B** attached hereto and incorporated herein by reference (collectively, the "**Permitted Exceptions**"), but only to the extent such Permitted Exceptions are valid, subsisting and do in fact affect the Property.

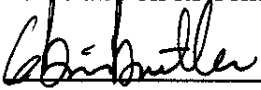
TO HAVE AND TO HOLD the Property unto Grantee and Grantee's successors and assigns forever in Fee Simple.

And Grantor does hereby bind Grantor and Grantor's successors and assigns to WARRANT and FOREVER DEFEND, all and singular, the Property unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof by, though or under Grantor, but not otherwise, subject only to the Permitted Exceptions expressly contained herein.




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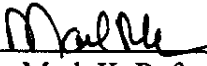
IN WITNESS WHEREOF, Grantor has caused these presents to be executed in its name and on its behalf under seal as of the day and year first above written.


Attest

GRANTOR:

NOBLE I SCHAUMBURG, LLC, a Delaware limited liability company


Attest

By: 
Name: Mark K. Rafuse
Title: Vice President

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EXHIBIT "A"

LEGAL DESCRIPTION

LOT 1 IN THE WOODFIELD VILLAGE GREEN FIRST RESUBDIVISION OF LOT 3 IN WOODFIELD VILLAGE GREEN WOODFIELD - 76 SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, AND PART OF THE FRACTIONAL SOUTHWEST 1/4 OF SECTION 7, TOWNSHIP 41 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS ACCORDING TO THE PLAT RECORDED SEPTEMBER 3, 1998 AS DOCUMENT 98789378, IN COOK COUNTY, ILLINOIS.

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EXHIBIT "B"

PERMITTED EXCEPTIONS

1. Taxes and assessments for the year 2015 and subsequent years, a lien not yet due or payable.
2. TERMS, PROVISIONS AND CONDITIONS OF THE LICENSE AND EASEMENT AGREEMENT DATED APRIL 21, 2003, AND RECORDED JUNE 10, 2003 AS DOCUMENT 0316144197, MADE BY AND BETWEEN HYATT CORPORATION, A DELAWARE CORPORATION, AS AGENT OF 1800 PARTNERS LIMITED PARTNERSHIP, AN ILLINOIS LIMITED PARTNERSHIP, DOING BUSINESS AS HYATT REGENCY WOODFIELD ("HYATT") AND V. K. SUITES, LLC, A WISCONSIN LIMITED LIABILITY COMPANY, DOING BUSINESS AS AMERISUITES ("AMERISUITES") AND ASSIGNMENT OF LICENSE AND EASEMENT AGREEMENT DATED AS OF APRIL 8, 2008 AND RECORDED APRIL 11, 2008 AS DOCUMENT NUMBER 0810233173
3. COVENANTS AND RESTRICTIONS AS CONTAINED IN THE INSTRUMENT MADE BY THE PURE OIL COMPANY, A CORPORATION OF OHIO, DATED JULY 23, 1957 AND RECORDED JULY 17, 1956 AS DOCUMENT 17262548 RELATING TO THE USE, PURPOSES, KIND, NUMBER, CHARACTER, SIZE, FRONTAGE AND ZONING OF THE LAND.
4. COVENANTS AND RESTRICTIONS AS CONTAINED IN THE DEED FROM UNION OIL COMPANY OF CALIFORNIA, A CALIFORNIA CORPORATION TO UNOCAL LAND & DEVELOPMENT COMPANY, DATED SEPTEMBER 12, 1986 AND RECORDED SEPTEMBER 18, 1986 AS DOCUMENT 86422309 THAT THE LAND SHALL NOT BE USED AS AN AUTOMOBILE SERVICE STATION FOR THE SALE AND DISTRIBUTION OF PETROLEUM PRODUCTS, TIRES, BATTERIES AND AUTOMOBILE ACCESSORIES AND SERVICES, CUSTOMARILY SOLD AND RENDERED AT AUTOMOBILE SERVICE STATIONS.
5. DECLARATION OF CONDITIONS AND RESTRICTIONS FOR LOTS 2, 3 AND 4 OF WOODFIELD VILLAGE GREEN WOODFIELD 76 SUBDIVISION DATED MARCH 22, 1993 AND RECORDED MAY 10, 1993 AS DOCUMENT 93350374

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MADE BY UNION OIL COMPANY OF CALIFORNIA; UNOCAL LAND & DEVELOPMENT COMPANY AND ROUTE 58 CORP.

6. RESERVATION OF THE OIL, GAS, PETROLEUM, HYDROCARBON SUBSTANCES, WATER AND OTHER MINERALS BELOW A DEPTH OF 500 FEET MEASURED VERTICALLY FROM THE PRESENT SURFACE OF THAT PART OF THE LAND, DESCRIBED AS FOLLOWS:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 12, AFORESAID, 983.20 FEET NORTH OF THE SOUTHEAST CORNER THEREOF; THENCE CONTINUE NORTH ALONG SAID EAST LINE 321.18 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 12, AFORESAID; THENCE WEST ALONG SAID NORTH LINE 661.79 FEET TO A POINT; THENCE SOUTH ALONG THE WEST LINE OF THE LAND DESCRIBED, 1167.87 FEET TO A POINT 594.53 FEET EAST OF THE EAST LINE OF SAID SOUTHEAST QUARTER AND 140.0 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHEAST QUARTER; THENCE EAST ALONG A LINE 140.0 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 12 AFORESAID (BEING ALSO THE NORTH LINE OF GOLF ROAD, STATE ROUTE 58), 501.53 FEET TO A POINT 93.0 FEET WEST OF THE SAID EAST LINE OF THE SOUTHEAST QUARTER OF SECTION 12 (BEING ALSO THE WESTERLY LINE OF PERMANENT EASEMENT TO THE METROPOLITAN SANITARY DISTRICT OF GREATER CHICAGO AS PER DOCUMENT 21391850); THENCE NORTHERLY ALONG SAID WESTERLY 643.90 FEET TO THE POINT OF BEGINNING; IN COOK COUNTY, ILLINOIS;

AND

TOGETHER WITH THE RIGHT OF ENTRY BELOW SAID DEPTH OF 500 FEET BY SLANT OR DIRECTIONAL DRILLING FROM OTHER LANDS TO DEVELOP AND PRODUCE OIL, GAS, PETROLEUM, AND HYDROCARBON SUBSTANCES, WATER AND OTHER MINERALS, AND THE RIGHT TO USE STRUCTURES BELOW SAID DEPTH OF 500 FEET FOR THE STORAGE AND SUBSEQUENT REMOVAL OF GAS OR OTHER SUBSTANCES, TOGETHER WITH THE RIGHT TO CONDUCT SECONDARY RECOVERY OPERATIONS THEREIN, AS WELL AS RIGHTS OF WAY, EASEMENTS AND SERVITUDES TO, IN AND THROUGH SAID SUBSURFACE LAND FOR THE PURPOSE OF EXERCISING THE RIGHTS HEREIN RESERVED, BUT WITHOUT ANY RIGHTS OF SURFACE ENTRY AS CONTAINED IN THE DEED FROM UNION OIL COMPANY, A CALIFORNIA CORPORATION TO CAROL L. MEYER,

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DATED JULY 3, 1973 AND RECORDED JULY 3, 1973 AS DOCUMENT 22385429 AND BY DEED FROM CAROL L. MEYER TO CHICAGO TITLE AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED JUNE 25, 1973 AND KNOWN AS TRUST NUMBER 62475, DATED JULY 3, 1973 AND RECORDED JULY 3, 1973 AS DOCUMENT 22385430.

7. RESERVATION OF THE OIL, GAS, PETROLEUM, HYDROCARBON SUBSTANCES, WATER AND OTHER MINERALS BELOW A DEPTH OF 500 FEET MEASURED VERTICALLY FROM THE PRESENT SURFACE OF THE LAND, TOGETHER WITH THE RIGHT OF ENTRY BELOW SAID DEPTH OF 500 FEET BY SLANT OR DIRECTIONAL DRILLING FROM OTHER LANDS TO DEVELOP AND PRODUCE OIL, GAS, PETROLEUM, AND HYDROCARBON SUBSTANCES, WATER AND OTHER MINERALS, AND THE RIGHT TO USE STRUCTURES BELOW SAID DEPTH OF 500 FEET FOR THE STORAGE AND SUBSEQUENT REMOVAL OF GAS OR OTHER SUBSTANCES, TOGETHER WITH THE RIGHT TO CONDUCT SECONDARY RECOVERY OPERATIONS THEREIN, AS WELL AS RIGHTS OF WAY, EASEMENTS AND SERVITUDES TO, IN AND THROUGH SAID SUBSURFACE LAND FOR THE PURPOSE OF EXERCISING THE RIGHTS HEREIN RESERVED, BUT WITHOUT ANY RIGHTS OF SURFACE ENTRY AS CONTAINED IN THE DEED FROM UNION OIL COMPANY OF CALIFORNIA, A CALIFORNIA CORPORATION TO UNOCAL LAND & DEVELOPMENT COMPANY, A CALIFORNIA CORPORATION BY DEED DATED SEPTEMBER 12, 1986 AND RECORDED SEPTEMBER 18, 1986 AS DOCUMENT 86422309.
8. NOTICE OF REQUIREMENT FOR STORM WATER DETENTION RECORDED JUNE 14, 1979 AS DOCUMENT 25005010
9. A 50 FOOT BUILDING SETBACK LINE OVER THE NORTHERLY AND EASTERLY LINES OF THE LAND, AS SHOWN ON THE PLAT RECORDED JULY 26, 1993 AS DOCUMENT 93580462 AND AS SHOWN ON PLAT OF RESUBDIVISION RECORDED SEPTEMBER 3, 1998 AS DOCUMENT 98789378 AND SHOWN ON SURVEY PREPARED BY AMERICAN SURVEYING & MAPPING, INC. DATED JULY 6, 2015, AND LAST REVISED OCTOBER 19, 2015, AND DESIGNATED JOB NO. 1500753-1851
10. A 10 FOOT PUBLIC UTILITY EASEMENT OVER PORTIONS OF THE LAND AS DESIGNATED ON SAID PLAT RECORDED JULY 26, 1993 AS DOCUMENT 93580462 AND AS SHOWN ON PLAT OF RESUBDIVISION DOC NO 98789378 AND SHOWN ON SURVEY PREPARED BY AMERICAN SURVEYING & MAPPING, INC. DATED JULY 6, 2015, AND LAST REVISED OCTOBER 19, 2015, AND DESIGNATED JOB NO. 1500753-1851.
11. EASEMENT IN FAVOR OF COMMONWEALTH EDISON COMPANY; NORTHERN ILLINOIS GAS COMPANY, ILLINOIS BELL TELEPHONE

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- COMPANY AND THE VILLAGE OF SCHAUMBURG, AND ITS/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 PLAT RECORDED/FILED AS DOCUMENT NO. 93580462, AFFECTING THE SOUTHERLY AND WESTERLY 10 FEET OF PARCEL 1, SOUTHERLY 10 FEET OF PARCEL 3 OF THE LAND. WITHIN PUBLIC UTILITIES EASEMENTS AND SHOWN ON THE SAID PLAT AND SHOWN ON THE SURVEY PREPARED BY AMERICAN SURVEYING & MAPPING, INC. DATED JULY 6, 2015, AND LAST REVISED OCTOBER 19, 2015, AND DESIGNATED JOB NO. 1500753-1851.
12. 20 FOOT EASEMENT IN FAVOR OF UTILITY COMPANIES, AND ITS/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 PLAT RECORDED/FILED AS DOCUMENT NO. 87579086 AS EASEMENT PARCEL 7 AND AS SHOWN ON PLAT OF RESUBDIVISION DOCUMENT NO. 98789378 AND SHOWN ON SURVEY PREPARED BY AMERICAN SURVEYING & MAPPING, INC. DATED JULY 6, 2015, AND LAST REVISED OCTOBER 19, 2015, AND DESIGNATED JOB NO. 1500753-1851.
13. TERMS AND PROVISIONS OF THE RECIPROCAL GRANT OF ROAD WAY EASEMENTS DATED NOVEMBER 25, 1981 AND RECORDED NOVEMBER 25, 1981 RECORDED AS DOCUMENT NUMBER 26070571 MADE BY AND BETWEEN LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT 101568, LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST AGREEMENT 100750 AND UNION OIL COMPANY OF CALIFORNIA AND SHOWN ON SURVEY PREPARED BY AMERICAN SURVEYING & MAPPING, INC. DATED JULY 6, 2015, AND LAST REVISED OCTOBER 19, 2015, AND DESIGNATED JOB NO. 1500753-1851.
14. TERMS, PROVISIONS AND CONDITIONS OF THE CROSS ACCESS EASEMENT AGREEMENT DATED FEBRUARY 18, 1997 AND RECORDED ON FEBRUARY 21, 1997 AS DOCUMENT NUMBER 97120611 MADE BY AND BETWEEN BROWN TROUT INVESTMENTS LTD AND GREAT LAKES REIT, L.P. AND SHOWN ON SURVEY PREPARED BY AMERICAN SURVEYING & MAPPING, INC. DATED JULY 6, 2015, AND LAST REVISED OCTOBER 19, 2015, AND DESIGNATED JOB NO. 1500753-1851.

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15. TERMS, PROVISIONS AND CONDITIONS OF THE RECIPROCAL ACCESS EASEMENT AGREEMENT DATED FEBRUARY 13, 1997 AND RECORDED FEBRUARY 21, 1997 AS DOCUMENT NUMBER 97120612 MADE BY AND BETWEEN BROWN TROUT INVESTMENTS, LTD., LASALLE NATIONAL TRUST N.A., AS SUCCESSOR TRUSTEE TO LASALLE NATIONAL BANK AS TRUSTEE UNDER TRUST NUMBER 101568 DATED MARCH 21, 1979 AND GREAT LAKES REIT, L.P. AND SHOWN ON SURVEY PREPARED BY AMERICAN SURVEYING & MAPPING, INC. DATED JULY 6, 2015, AND LAST REVISED OCTOBER 19, 2015, AND DESIGNATED JOB NO. 1500753-1851.
16. PLAT OF RESUBDIVISION RECORDED SEPTEMBER 3, 1998 AS DOCUMENT 98789378 ENTITLED " WOODFIELD VILLAGE GREEN FIRST RESUBDIVISION"
17. 15 FOOT EASEMENT IN FAVOR OF THE COMMONWEALTH EDISON COMPANY, AND ITS/ 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 PLAT RECORDED/FILED AS DOCUMENT NO. 98789378, ALONG THE SOUTHEASTERLY LINE OF LOT 1 FOR EXACT LOCATION SEE PLAT AND SHOWN ON SURVEY PREPARED BY AMERICAN SURVEYING & MAPPING, INC. DATED JULY 6, 2015, AND LAST REVISED OCTOBER 19, 2015, AND DESIGNATED JOB NO. 1500753-1851.
18. STORMWATER MANAGEMENT EASEMENT AT THE NORTHEAST CORNER OF THE LAND AS SHOWN ON PLAT OF RESUBDIVISION DOCUMENT 98789378 AND NOTED ABOVE, FOR EXACT LOCATION SEE PLAT AND SHOWN ON SURVEY PREPARED BY AMERICAN SURVEYING & MAPPING, INC. DATED JULY 6, 2015, AND LAST REVISED OCTOBER 19, 2015, AND DESIGNATED JOB NO. 1500753-1851.
19. 5 FEET PUBLIC UTILITY EASEMENT AND DRAINAGE EASEMENT AS SHOWN ON PLAT OF RESUBDIVISION AFORESAID AN SHOWN ON SURVEY PREPARED BY AMERICAN SURVEYING & MAPPING, INC. DATED JULY 6, 2015, AND LAST REVISED OCTOBER 19, 2015, AND DESIGNATED JOB NO. 1500753-1851.
20. EASEMENTS, MAINTENANCE, USE, INSURANCE, COVENANTS, NOTICES AND MISCELLANEOUS MATTERS CONTAINED IN THE DOCUMENT RECORDED APRIL 12, 1999 AS DOCUMENT NO. 99349797

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AMENDMENTS TO EASEMENT AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANT RECORDED OCTOBER 16, 2008 AS DOCUMENT 0828933015 AND JUNE 10, 2003 AS DOCUMENT 0316144196

ASSIGNMENT OF LICENSE AND EASEMENT AGREEMENT DATED APRIL 8, 2008, RECORDED APRIL 11, 2008 AS DOCUMENT NUMBER 810233173 BETWEEN V.K. SUITES, LLC (ASSIGNOR), NOBLE I SCHAUMBURG, LLC (ASSIGNEE) AND HRW HOTEL PARTNERS, LLC (HYATT)

AMENDMENT TO EASEMENT AGREEMENT AND DECLARATION OF RESTRICTIVE COVENANT DATED SEPTEMBER 16, 2008 BY AND BETWEEN NOBLE I SCHAUMBURG, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND SCHAUMBURG LAND COMPANY, LLC, A WASHINGTON LIMITED LIABILITY COMPANY RECORDED OCTOBER 15, 2008 AS DOCUMENT NUMBER 0828933015.

21. EASEMENT IN FAVOR OF SCHAUMBURG LAND COMPANY, LLC FOR THE PURPOSE OF ACCESS, DRAINAGE, MAINTENANCE, AND OVERFLOW PARKING RECORDED APRIL 12, 1999 AS DOCUMENT NO. 99349797, AND THE TERMS AND PROVISIONS CONTAINED THEREIN AND AS AMENDED BY DOCUMENT 0316144196 AND SHOWN ON SURVEY PREPARED BY AMERICAN SURVEYING & MAPPING, INC. DATED JULY 6, 2015, AND LAST REVISED OCTOBER 19, 2015, LAST REVISED OCTOBER 19, 2015, AND DESIGNATED JOB NO. 1500753-1851.
22. CONDITIONS DISCLOSED BY THAT CERTAIN ALTA/ASCM LAND SURVEY PREPARED BY WAYNE SCHUTZ, ILLINOIS PROFESSIONAL SURVEYOR NO. 035-002834, FOR AMERICAN SURVEYING & MAPPING, INC. DATED JULY 6, 2015, AND LAST REVISED OCTOBER 19, 2015, AND DESIGNATED JOB NO. 1500753-1851