

# UNOFFICIAL COPY

**THIS DOCUMENT WAS PREPARED BY:**

Lawrence M. Gritton  
126 West Chicago Avenue  
Chicago, IL 60654

**UPON RECORDING RETURN TO:**

Bradley Ritter  
Paul Hastings LLP  
71 South Wacker Drive, Suite 4500  
Chicago, IL 60605

**MAIL SUBSEQUENT TAX BILLS TO:**

North & Kingsbury Owner LLC  
c/o Acadia Realty Trust  
411 Theodore Fremd Avenue, Suite 300  
Rye, NY 10580  
Attention: Jason Blacksberg



Doc#: 1624329089 Fee: \$48.00  
RHSP Fee: \$9.00 RPRF Fee: \$1.00  
Karen A. Yarbrough  
Cook County Recorder of Deeds  
Date: 08/30/2016 02:56 PM Pg: 1 of 6

The above space for recorders use only

**SPECIAL WARRANTY DEED**

THIS SPECIAL WARRANTY DEED is made as of the 29<sup>th</sup> day of August, 2016 by **NORTH KINGSBURY LLC**, an Illinois limited liability company, having an address at 126 West Chicago Avenue, Chicago, IL 60654 ("**Grantor**"), in favor of **NORTH & KINGSBURY OWNER LLC**, a Delaware limited liability company, having an address at c/o Acadia Realty Trust, 411 Theodore Fremd Avenue, Suite 300, Rye, NY 10580 ("**Grantee**").

**WITNESSETH:**

That Grantor, for and in consideration of the sum of \$10.00 and other good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell, and convey unto Grantee and Grantee's heirs, successors and assigns, in and to the following described land (the "**Land**") in Cook County, Illinois:

See **Exhibit A** attached hereto and incorporated herein by reference for the description of the Land conveyed herein.

TOGETHER with all the tenements, hereditaments, and appurtenances thereto.

TO HAVE AND TO HOLD the same unto Grantee and Grantee's heirs, successors and assigns in fee simple forever.

This conveyance is made subject to those matters described on **Exhibit B** attached hereto and to applicable zoning ordinances, matters appearing on any recorded plat of the land, and taxes for the current year.

1624329089

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And Grantor does hereby covenant with Grantee that, except as noted above, title to the Land is free from all encumbrances made by Grantor, and that Grantor will warrant and defend the same against the lawful claims and demands of all persons claiming by, through or under Grantor (except as noted above), but against none other.

*[Signature Page Follows]*

Property of Cook County Clerk's Office

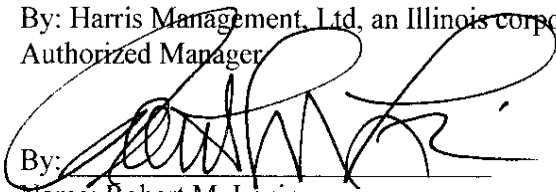
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IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed the day and year first above-written.

**GRANTOR:**

**NORTH KINGSBURY LLC,**  
an Illinois limited liability company

By: Harris Management, Ltd, an Illinois corporation,  
Authorized Manager

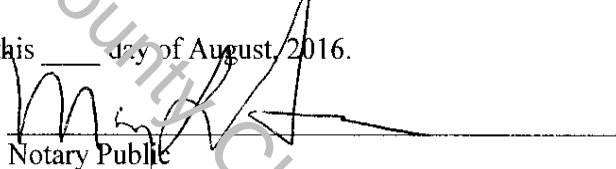


By: \_\_\_\_\_  
Name: Robert M. Levin  
Title: President and Authorized Signatory



State of Illinois     )  
                                  ) SS  
County of Cook     )


I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Robert M. Levin as the President and Authorized Signatory of Harris Management, Ltd., the Authorized Manager of North Kingsbury LLC, personally known to me, whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his free and voluntary act and as the free and voluntary act of said corporation as Manager of said limited liability company, for the purposes therein set forth.

Given under my hand and official seal, this \_\_\_\_\_ day of August, 2016.

  
Notary Public

Commission expires: 7/17/20

<b>REAL ESTATE TRANSFER TAX</b>		30-Aug-2016
	COUNTY:	10,295.50
	ILLINOIS:	20,591.00
	<b>TOTAL:</b>	<b>30,886.50</b>
17-05-206-002-0000   20160701632228   0-099-445-568		

<b>REAL ESTATE TRANSFER TAX</b>		30-Aug-2016
	CHICAGO:	255,000.00
	CTA:	102,000.00
	<b>TOTAL:</b>	<b>357,000.00 *</b>
17-05-206-002-0000   20160701632228   0-004-688-704		

\* Total does not include any applicable penalty or interest due.

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## EXHIBIT A

### LEGAL DESCRIPTION

#### PARCEL 1:

LOT 6 (EXCEPT THE NORTH WESTERLY 5.8 FEET THEREOF AND EXCEPTING ALSO THE NORTHEASTERLY 12 FEET THEREOF) AND ALL OF LOTS 7, 8, 9 AND 10 (EXCEPTING THE NORTH EAST 12 FEET OF ALL OF SAID LOTS 7 TO 10, INCLUSIVE) IN BLOCK 37 IN CHICAGO LANDCOMPANY'S RESUBDIVISION OF BLOCKS 36, 37, 46, 47, 48, 55, 56, 62, 63, 70, 71, 74 AND 84 TOGETHER WITH LOT 1 IN BLOCK 50, ALL IN ELSTON'S ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

#### PARCEL 2:

LOT 3 AND THAT PART OF LOTS 1 AND 2 LYING EAST OF A LINE DRAWN PERPENDICULAR TO THE NORTH LINE OF SAID LOTS THROUGH A POINT, 114.56 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 1; ALL OF LOTS 4 AND 5; THE NORTHWESTERLY 5.80 FEET OF LOT 6; THE NORTHEASTERLY 12 FEET OF LOT 6 (EXCEPT THE NORTHWESTERLY 5.80 FEET THEREOF) AND THE NORTHEASTERLY 12 FEET OF LOTS 7, 8, 9 AND 10 ALL IN BLOCK 37 IN CHICAGO LAND CO'S RESUBDIVISION OF BLOCKS 36, 37, 46, 47, 48, 55, 56, 62, 63, 70, 71, 74 AND 84 TOGETHER WITH LOT 1 IN BLOCK 50 ALL IN ELSTON'S ADDITION TO CHICAGO IN SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

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**Property Address:** 1574 and 1596 North Kingsbury Avenue, Chicago, Illinois 60642

**PINs:**  
 17-05-206-002-0000  
 17-05-206-003-0000  
 17-05-206-004-0000  
 17-05-206-011-0000  
 17-05-206-012-0000

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## EXHIBIT B

### PERMITTED EXCEPTIONS

1. MORTGAGE, ASSIGNMENT OF LEASES AND RENTS, FIXTURE FILING AND SECURITY AGREEMENT DATED OCTOBER 30, 2014 AND RECORDED OCTOBER 31, 2014 AS DOCUMENT 1430444051 MADE BY NORTH KINGSBURY LLC, AN ILLINOIS LIMITED LIABILITY COMPANY TO PRINCIPAL LIFE INSURANCE COMPANY, AN IOWA CORPORATION, TO SECURE A NOTE FOR \$14,000,000.00.

AS AFFECTED BY LOAN ASSUMPTION AGREEMENT DATED ~ AND RECORDED ~ AS DOCUMENT NUMBER ~.

2. SECURITY INTEREST OF THE PRINCIPAL LIFE INSURANCE COMPANY, SECURED PARTY, IN CERTAIN DESCRIBED CHATTELS ON THE LAND, AS DISCLOSED BY FINANCING STATEMENT NAMING NORTH KINGSBURY LLC AS DEBTOR AND RECORDED OCTOBER 31, 2014 AS DOCUMENT NO. 1430444052.

AS AFFECTED BY LOAN ASSUMPTION AGREEMENT DATED ~ AND RECORDED ~ AS DOCUMENT NUMBER ~.

3. EXISTING UNRECORDED LEASE IN FAVOR OF OLD NAVY, WITHOUT AN OPTION TO PURCHASE, RIGHT OF FIRST OFFER, OR RIGHT OF FIRST REFUSAL, AS AFFECTED BY THE SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT RECORDED OCTOBER 31, 2014 AS DOCUMENT NUMBER 1430444054.

SUBORDINATION NON-DISTURBANCE AND ATTORNMENT AGREEMENT, MADE BY AND BETWEEN PRINCIPAL LIFE INSURANCE COMPANY, AN IOWA CORPORATION, OLD NAVY, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND NORTH KINGSBURY LLC, A ILLINOIS LIMITED LIABILITY COMPANY RECORDED OCTOBER 31, 2014 AS DOCUMENT 1430444054,

SUBORDINATING ABOVE LEASE TO MORTGAGE RECORDED AS DOCUMENT 1430444051

4. EXISTING UNRECORDED LEASE IN FAVOR OF PIER ONE IMPORTS, WITHOUT AN OPTION TO PURCHASE, RIGHT OF FIRST OFFER OR RIGHT OF FIRST REFUSAL, AS AFFECTED BY THE SUBORDINATION, NON-DISTURBANCE AND ATTORNMENT AGREEMENT RECORDED OCTOBER 31, 2014 AS DOCUMENT NUMBER 1430444053.

SUBORDINATION NON-DISTURBANCE AND ATTORNMENT AGREEMENT, MADE BY AND BETWEEN PRINCIPAL LIFE INSURANCE COMPANY, AN IOWA CORPORATION, PIER ONE IMPORTS INC., A DELAWARE CORPORATION, AND NORTH KINGSBURY LLC, A ILLINOIS LIMITED LIABILITY COMPANY RECORDED OCTOBER 31, 2014 AS DOCUMENT 1430444054, SUBORDINATING ABOVE LEASE TO PRINCIPAL LIFE INSURANCE COMPANY MORTGAGE

5. EXISTING UNRECORDED LEASES IN FAVOR OF MODANI CHICAGO, LIMITED LIABILITY COMPANY AND THE ART STORE, INC., AS DISCLOSED BY RENT ROLL DATED JUNE 27, 2016, CONTAINING NO OPTIONS TO PURCHASE OR RIGHTS OF FIRST REFUSAL, AND ALL RIGHTS THEREUNDER OF THE LESSEES AND OF ANY PERSON OR PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEES.

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6. UNRECORDED RAILROAD RIGHTS OF WAY AND SWITCH TRACKS AS DISCLOSED BY THAT CERTAIN WARRANTY DEED DOCUMENT 12273450 FROM STANDARD BRANDS, INC., A CORPORATION OF DELAWARE, TO INDUSTRIAL SUGARS CORPORATION, A CORPORATION OF DELAWARE PURSUANT TO THE TERMS AND PROVISIONS OF A CERTAIN AGREEMENT DATED FEBRUARY 13, 1931 WITH CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD.

7. RIGHTS OF THE PUBLIC, THE UNITED STATES OF AMERICA, THE SANITARY DISTRICT OF CHICAGO AND THE STATE OF ILLINOIS TO THE NATURAL FLOW OF WATERS OF THE NORTH BRANCH OF THE CHICAGO RIVER FOR NAVIGATION AND DOCKING.

8. AT&T BUILDING ATTACHMENT EASEMENT, RECORDED JUNE 17, 2013 AS DOCUMENT 1316848029, MADE BY AND BETWEEN NORTH KINGSBURY, LLC AND OLD NAVY LLC, GRANTING AND CONVEYING TO THE ILLINOIS BELL TELEPHONE COMPANY DOING BUSINESS AS AT&T ILLINOIS, AN ILLINOIS CORPORATION, AND ITS AFFILIATES AND LICENSEES, SUCCESSORS AND ASSIGNS, A PERPETUAL, EXCLUSIVE BUILDING WALL ATTACHMENT EASEMENT, IN, UPON AND ACROSS THE EASEMENT AREA, FOR THE PURPOSE OF AND IN ORDER TO CONSTRUCT, RECONSTRUCT, MODIFY, MAINTAIN, OPERATE AND/OR REMOVE FACILITIES FOR THE TRANSMISSION OF SIGNALS USED IN THE PROVISION OF COMMUNICATION, VIDEO AND/OR INFORMATION SERVICES AND/OR ANY OTHER SERVICES OR USES FOR WHICH SUCH FACILITIES MAY BE USED INCLUDING BUT LIMITED TO, CABLES, WIRES, AND TERMINALS TOGETHER WITH THE RIGHT TO HAVE EASEMENT AREA WITH THE RIGHT OF INGRESS AND EGRESS ACROSS THE PROPERTY AND THE EASEMENT AREA FOR THE PURPOSE OF ACCESS TO AND USE OF THE EASEMENT GRANTED HEREIN

9. WE HAVE EXAMINED THE PLAT OF SURVEY BY GREMLEY & BIEDERMANN, INC., DATED AUGUST 13, 2014, LAST REVISED JULY 15, 2016 AND DESIGNATED JOB NO. 2016-22741 AND NOTE THE FOLLOWING:

A. ENCROACHMENT OF THE BUILDING LOCATED ON THE LAND ONTO PUBLIC PROPERTY NORTH AND ADJOINING BY .18 TO .28 FEET

B. ENCROACHMENT OF THE SIGNS ON THE BUILDING ONTO PUBLIC PROPERTY NORTH AND ADJOINING BY AN UNDISCLOSED AMOUNT.

C. ENCROACHMENT OF THE CHAIN LINK FENCE LOCATED ON THE LAND ONTO THE PROPERTY SOUTHWESTERLY BY AN UNDISCLOSED AMOUNT AND ONTO THE PROPERTY SOUTHEASTERLY BY 0.52 FEET.