

# UNOFFICIAL COPY

**THIS INSTRUMENT WAS PREPARED BY:**

Peter M. Friedman  
Holland & Knight LLP  
131 S. Dearborn Street  
30th Floor  
Chicago, Illinois 60603



Doc# 1704519091 Fee \$46.00

RHSP FEE:\$9.00 RPRF FEE: \$1.00

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 02/14/2017 01:17 PM PG: 1 OF 5

**MAIL AFTER RECORDING TO:**

Lyon & Caron LLP  
790 Estate Drive, Suite 180  
Deerfield, Illinois 60015  
Attention: Jeff Lyon

FAST

(2808)

CT 8988

**SPECIAL WARRANTY DEED**

**THIS SPECIAL WARRANTY DEED** is made this 7 day of February, 2017 by the **CITY OF DES PLAINES**, an Illinois home rule municipal corporation ("**Grantor**"), having an address of 1420 Miner Street, Des Plaines, Illinois 60016 to **O'HARE REAL ESTATE, LLC**, an Illinois limited liability company ("**Grantee**"), having an address of 1375 Remington Road, Suite E, Schaumburg, Illinois 60173.

**WITNESSETH**, that the Grantor, for and in consideration of the sum of Ten and no/100 (\$10.00) Dollars and other good and valuable consideration in hand paid by the Grantee, the receipt whereof is hereby acknowledged, by these presents does **REMISE, RELEASE, ALIEN AND CONVEY** unto the Grantee, its successors and assigns, **FOREVER**, all the land, situated in the County of Cook and State of Illinois known and described on **Exhibit A** attached hereto and made a part hereof (the "**Premises**").

Together with all and singular the 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, claim, or demand whatsoever, of the Grantor, either in law or equity, of, in and to the Premises, with the hereditaments and appurtenances: **TO HAVE AND TO HOLD** the Premises as above described, with the appurtenances, unto the Grantee, his heirs/successors and assigns forever.

And the Grantor, for itself, and its successors and assigns, does covenant, promise and agree, to and with the Grantee, his heirs/successors and assigns, that during the period that Grantor has owned title to the Premises, it has not done or suffered to be done anything whereby the Premises hereby granted are, or may be, in any manner encumbered or charged, except as set forth as "Permitted Title Exceptions" on **Exhibit B** attached hereto and made a part hereof; and that subject to such Permitted Title Exceptions, the Grantor will warrant and forever defend the Premises against all persons lawfully claiming by, through or under the Grantor, but not otherwise.

**MAIL TAX BILLS TO:**

O'Hare Real Estate, LLC  
1375 Remington Road, Suite E  
Schaumburg, Illinois 60173

Exempt deed or instrument  
eligible for recordation  
without payment of tax.

B. Brown 2/3/17  
City of Des Plaines

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IN WITNESS WHEREOF, said Grantor has caused its name to be signed to these presents the day and year first above written.

CITY OF DES PLAINES, an Illinois home rule municipal corporation

By: [Signature]  
Name: Michael G. Bartholomew  
Its: City Manager

STATE OF ILLINOIS )  
                                  ) SS  
COUNTY OF COCK )

I, Laura K Fast, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Michael G. Bartholomew, the City Manager of the CITY OF DES PLAINES, 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 he signed and delivered the said instrument as his free and voluntary act in his capacity as City Manager, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 23rd day of January, 2017.

[Signature]  
Notary Public

My Commission Expires 6/8/2020 (SEAL)



Exempt under 35 ILCS 200/31-45(b), Real Estate Transfer Tax Law.

2/6/17  
Date

[Signature]  
Buyer, Seller or Representative

REAL ESTATE TRANSFER TAX		08-Feb-2017	
	COUNTY:		0.00
	ILLINOIS:		0.00
	TOTAL:		0.00
09-33-305-002-0000   20170201609264   0-492-520-128			

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## EXHIBIT A

### Legal Description

Lots 3, 5, 6 and 7 in the Final Plat of the Orchards at O'Hare Subdivision, Recorded December 27, 2016, as Document Number 1636218072, Being a Resubdivision of Part of the Orchard Higgins Subdivision, According to the Plat Thereof Recorded on March 17, 2016 As Document Number 1607719068, and Being a Subdivision of Part of the Southwest ¼ of Section 33, Township 41 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

### Permanent Index Numbers:

09-33-305-002-0000  
09-33-305-005-0000  
09-33-305-006-0000  
09-33-305-009-0000  
09-33-305-010-0000  
09-33-305-013-0000  
09-33-305-014-0000  
09-33-306-001-0000  
09-33-309-001-0000  
09-33-309-010-0000  
09-33-500-005-0000

*388 Orchard PL  
Des Plaines, IL*

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## EXHIBIT B

### Permitted Title Exceptions

1. Real Estate Taxes For 2016 And Subsequent Years Not Yet Due And Payable.
2. Rights Of The United States Of America, The State Of Illinois, The Municipality And The Public In And To That Part Of The Premises Falling In Higgins Creek And Rights Of The Adjoining Owners In And To The Free And Unobstructed Flow Of The Waters Of Said Creek.
3. Terms, Conditions And Limitations Contained In The No Further Remediation Letter Issued By The Illinois Environmental Protection Agency And Recorded November 30, 2000 As Document Number 00939586.
4. Temporary Construction Easement In Favor Of The People Of The State Of Illinois, Department Of Transportation For The Purpose Of Roadway Construction And Other Highway Purposes Recorded December 13, 2012 As Document Number 1234846030, And The Terms And Provisions Contained Therein.
5. Rights Of Way For Drainage Tiles, Ditches, Feeders, Laterals And Underground Pipes, If Any.
6. Rights Of Adjoining Owners To The Uninterrupted Flow Of Willow Creek Which May Cross The Premises.
7. Reservation Contained In The Deed From The Soo Line Railroad Company, A Corporation Of Minnesota, To Wisconsin Central Ltd., A Corporation Of Illinois, Recorded October 21, 1987 As Document Number 87568357 In Favor Of The Grantor For:
  - (A) All Mineral Rights Reserved By Grantor Or Its Predecessors In Conveyances Dated Prior To April 2, 1987;
  - (B) 100% Of All Gross Revenues Under Easements, Licenses, Or Leases Heretofore Granted By Grantor For The Installation, Operation, Use, And Maintenance Of Fiber Optic Cables, And Their Support Structures And Appurtenances (Including Without Limitation, Repeater Stations), On, Under, Across, And Over The Rail Property, including Gross Revenues Payable In Respect Of Any Extension Or Renewal Of The Term Of Such Easement, License Or Lease (But Only To The Extend Such Extension Or Renewal Is Explicitly Contemplated In Such Easement, License, Or Lease), Together With All Reasonable Rights Of Access To Such Installations, Which Shall Run With The Rail Property For The Benefit Of Grantor And Its Successors And Assigns.
  - (C) 50% Of All Net Revenues Under Easements, Licenses Or Leases Granted By Grantor Or Its Successors, Assigns, Or Grantees After The Date Heretofore For The Installation, Operation, Use, And Maintenance Of Fiber Optic Cables And Their Support Structures And Appurtenances (Including, Without Limitation, Repeater Stations), On, Under, Across, And Over The Rail Property, Which Shall Run With The Rail Property For The Benefit Of Grantor And Its Successors And Assigns.

Exhibit B to Special Warranty Deed

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8. Covenants And Restrictions Contained In The Deed Recorded May 28, 2014 As Document Number 1414855014, Relating But Not Limited To Impeding The Flow Of Drainage Water Which Would Adversely Affect Rail Operations And Construction Of A Fence And The Maintenance Thereof.
9. Sanitary Sewer, Water Main, Ingress/Egress, Compensatory Storage, Common Area/Blanket Utility, And Interim Utility Easements In Favor Of The Orchards At O'Hare Subdivision, The City Of Des Plaines, Commonwealth Edison Company, AT&T, Illinois Bell Telephone Company (Ameritech), Comcast Cable Communications Inc. (Comcast) And Northern Illinois Gas Company (Nicor), And Its/Their Respective Successors And Assigns, To Install, Operate And Maintain All Equipment Necessary For The Purpose Of Servicing The Premises And Other Property, Together With The Right Of Access To Said Equipment, And The Provisions Relating Thereto Contained In The Final Plat Of The Orchards At O'Hare Subdivision Recorded On December 27, 2016 As Document Number 1636218072.
10. Covenants, Conditions, Restrictions And Easements Set Forth In The Reciprocal Easements And Covenants Agreement By And Among The City Of Des Plaines, The Rosemont Park District, And Outfront Media, LLC Dated November 22, 2016 And Recorded On January 20, 2017 As Document Number 1702018084.
11. Amended And Restated Redevelopment And Economic Incentive Agreement By And Between The City Of Des Plaines And O'Hare Real Estate, LLC For The Orchards At O'Hare Development, Dated July 6, 2016 And Recorded On February 14, 2017 As Document Number 1704519090.
12. Matters As Depicted On The Plat Of Survey By Haeger Engineering Dated January 27, 2017, Number 15-180.