

# UNOFFICIAL COPY

## SPECIAL WARRANTY DEED



\*17268440590\*

Doc# 1726844059 Fee \$48.00

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

KAREN A. YARBROUGH

COOK COUNTY RECORDER OF DEEDS

DATE: 09/25/2017 02:49 PM PG: 1 OF 6

(The Above Space for Recorder's Use Only)

THIS INSTRUMENT made as of this 21<sup>st</sup> day of September, 2017, between ORCHARD FULLERTON SMITH LLC, a Delaware limited liability company, party of the first part, and 2422 ORCHARD, LLC, an Illinois limited liability company, party of the second part, whose address is 2521 North Halsted, Chicago, IL 60614. WITNESSETH, that the party of the first part, 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 party of the second part, the receipt whereof is hereby acknowledged, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part, and to its successors and assigns, FOREVER, all the real estate, situated in the City of Chicago, County of Cook and State of Illinois known and described as follows:

See Exhibit A attached to and made a part hereof.

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anyway 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 party of the first part, 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 the party of the second part, its successors and assigns forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, 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 that the said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, IT WILL WARRANT AND DEFEND, subject to:

See Exhibit B attached to and made a part hereof.

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IN WITNESS WHEREOF, said party of the first part has caused its name to be signed to these presents by its Authorized Signatory the day and year first above written.

ORCHARD FULLERTON SH TH LLC,  
a Delaware limited liability company

By: Lincoln Fullerton Venture LLC,  
its sole member

By: Lincoln Fullerton Owner LLC,  
its managing member

By: Hines Lincoln Fullerton Associates Limited  
Partnership, its managing member

By: Hines Lincoln Fullerton GP LLC,  
its general partner

By: Hines Interests Limited Partnership,  
its sole member

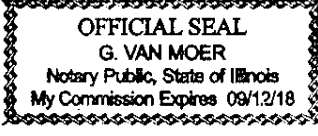
By: Hines Holdings, Inc.,  
its general partner

By: [Signature]  
Name: JAMES R. WALSH  
Title: SENIOR MANAGING DIRECTOR DRB

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 James R. Walsh personally known to me to be the Senior Managing Director of Hines Holdings, Inc., a Texas corporation, the general partner of Hines Interests Limited Partnership, a Texas limited partnership, the sole member of Hines Lincoln Fullerton GP LLC, a Delaware limited liability company, the general partner of Hines Lincoln Fullerton Associates Limited Partnership, the managing member of Lincoln Fullerton Owner LLC, a Delaware limited liability company, the managing member of Lincoln Fullerton Venture LLC, a Delaware limited liability company, the sole member of Orchard Fullerton SH TH LLC, a Delaware limited liability company, and 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 Senior Managing Director he signed and delivered the said instrument, as his free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 13 day of September, 2017.



[Signature]  
Notary Public  
Commission Expires: 9/12/18

[Signature page to Special Warranty Deed]

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This Instrument Was Prepared by:  
 Jade Newburn  
 Mayer Brown LLP  
 71 S. Wacker Drive  
 Chicago, Illinois 60606



After Recording Return To:

Send Subsequent Tax Bills To:

*Jeffrey Arnold*  
*Brown, Udell, Pomerantz & DeRahm*  
*225 West Illinois Street, Ste 300*  
*Chicago, IL 60654*

*2422 Orchard, LLC*  
*2521 N. Halsted Street*  
*Chicago, IL 60614*

REAL ESTATE TRANSFER TAX		25-Sep-2017
	CHICAGO:	9,997.50
	CTA:	3,999.00
	<b>TOTAL:</b>	<b>13,996.50 *</b>
14-28-312-069-0000   20170401646824		1-721-058-752
* Total does not include any applicable penalty or interest due		

REAL ESTATE TRANSFER TAX		25-Sep-2017
 	COUNTY:	666.50
	ILLINOIS:	133.00
	<b>TOTAL:</b>	<b>1,999.50</b>
14-28-312-069-0000   20170401646824		2-081-753-024

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## EXHIBIT A TO SPECIAL WARRANTY DEED

### LEGAL DESCRIPTION

LOT 104 AND THE NORTH 12.52 FEET OF THE EAST 68.94 FEET OF LOT 103 IN JOHN T. DAVIS' SUBDIVISION OF SOUTH 836 FEET OF OUTLOT 'F' IN WRIGHTWOOD, A SUBDIVISION OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

#### ALSO KNOWN AS:

THAT PART OF LOTS 103 AND 104 DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF LOT 104; THENCE SOUTH 00° 18' 45" EAST 37.52 FEET TO THE SOUTH LINE OF THE NORTH 12.52 FEET OF LOT 103; THENCE NORTH 89° 58' 57" WEST 68.94 FEET; THENCE NORTH 00° 18' 45" WEST 12.52 FEET TO THE SOUTH LINE OF LOT 104; THENCE NORTH 89° 58' 57" WEST 56.95 FEET TO THE SOUTHWEST CORNER OF LOT 104; THENCE NORTH 00° 15' 56" WEST 25.00 FEET TO THE NORTHWEST CORNER OF LOT 104; THENCE SOUTH 89° 58' 57" EAST 125.87 FEET TO THE POINT OF BEGINNING, IN JOHN T. DAVIS' SUBDIVISION OF THE SOUTH 836 FEET OF OUTLOT "F" IN WRIGHTWOOD, A SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 40 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS

#### ADDRESS OF REAL ESTATE:

2422 North Orchard Street, Chicago, Illinois

#### PERMANENT TAX IDENTIFICATION NUMBER:

14-28-312-069-0000

14-28-312-079-0000

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## EXHIBIT B TO SPECIAL WARRANTY DEED

### ENCUMBRANCES

1. GENERAL REAL ESTATE TAXES FOR THE YEARS 2017, A LIEN NOT YET DUE OR PAYABLE.  
  
PERMANENT INDEX NUMBERS: 14-28-312-069-0000 AND 14-28-312-079-0000
2. ORDINANCE RECORDED JUNE 26, 2008 AS DOCUMENT NUMBER 0817822023.  
  
NOTICE OF DESIGNATION AS A CHICAGO LANDMARK RECORDED AS DOCUMENT NUMBER 0835333082.
3. 30 FOOT BUILDING LINE AS SHOWN ON THE PLAT OF SAID SUBDIVISION LINE ALONG THE EAST LINE OF THE PROPERTY.
4. ASSIGNMENT AND ASSUMPTION AGREEMENT DATED AS OF FEBRUARY 11, 2016 AND RECORDED FEBRUARY 18, 2016 AS DOCUMENT NUMBER 1604919017.
5. DECLARATION OF RESTRICTIVE COVENANTS AND COMMON AREA RECIPROCAL EASEMENT AGREEMENT DATED AS OF JUNE 10, 2016 AND RECORDED JUNE 16, 2016 AS DOCUMENT NUMBER 1616844053.
6. TEMPORARY CONSTRUCTION EASEMENT AGREEMENT DATED AS OF JUNE 10, 2016 AND RECORDED JUNE 16, 2016 AS DOCUMENT NUMBER 1616844054, AS AMENDED BY THAT CERTAIN FIRST AMENDMENT TO TEMPORARY CONSTRUCTION EASEMENT RECORDED FEBRUARY 24, 2017 AS DOCUMENT NUMBER 1705515022.
7. MATTERS AS DISCLOSED BY THE PLAT OF SURVEY PREPARED BY CHICAGO GUARANTEE SURVEY COMPANY, DATED FEBRUARY 17, 2017 AS ORDER NUMBER 2017-23610-001, AS FOLLOWS:
  - A. RIGHTS, IF ANY, OF PUBLIC OR QUASI-PUBLIC UTILITIES IN AND TO THAT PART OF THE LAND AS DISCLOSED BY UTILITY POLE, AERIAL WIRES, AND SANITARY CLEAN OUT.
  - B. ENCROACHMENT OF THE BUILDING LOCATED MAINLY ON SUBJECT LAND OVER THE BUILDING LINE TO THE EAST BY APPROXIMATELY 5.78 FEET, MORE OR LESS.

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C. ENCROACHMENT OF IRON FENCE LOCATED MAINLY ON SUBJECT LAND OVER AND ONTO LAND NORTH AND ADJOINING A DISTANCE OF 0.10 FEET, MORE OR LESS.

D. ENCROACHMENT OF BRICK LOCATED MAINLY ON SUBJECT LAND OVER AND ONTO LAND NORTH AND ADJOINING A DISTANCE OF 0.13 FEET, MORE OR LESS.

E. ENCROACHMENT OF CONCRETE WALKWAY LOCATED MAINLY ON SUBJECT LAND OVER AND ONTO PUBLIC ALLEY WEST AND ADJOINING AN UNDISCLOSED DISTANCE.

F. ADVERSE ENCROACHMENT OF FOUNDATION REMAINS BELONG TO THE LAND SOUTH AND ADJOINING, OVER AND ONTO THE SUBJECT LAND A DISTANCE OF 0.05 FEET, MORE OR LESS.