

# UNOFFICIAL COPY

Doc# 2120818036 Fee: \$98.00  
Karen A. Yarbrough  
Cook County Clerk  
Date: 07/27/2021 05:23 AM Pg: 1 of 6

This instrument prepared by:

Larry Pachter, Esq.  
Pachter, Gregory & Raffaldini, P.C.  
100 Village Green, Suite 200  
Lincolnshire, IL 60069

Dec ID 20210601685122  
ST/CO Stamp 0-414-837-520 ST Tax \$615.00 CO Tax \$307.50

After recording return to:

Megan E. White  
Gozdecki, Del Giudice, Americus,  
Farkas & Brocato LLP  
One East Wacker Drive, Suite 1700  
Chicago, IL 60601

(Save for Recorder's Information)

CC# 2103862 LO # (3)

## SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED is made as of this \_\_\_ day of July, 2021 by **Wasser Properties LLC, an Illinois limited liability company**, having an address of 7251 West Touhy Avenue, Chicago, Illinois 60631 ("Grantor"), for and in consideration of Ten and No/100ths Dollars (\$10.00) and other good and valuable consideration in hand paid, by these presents does REMISE, RELEASE, ALIENATE AND CONVEY to **Ameritus HC Owner, LLC, a Delaware limited liability company**, having an address of 121 W. Wacker Drive, Suite 1220, Chicago, Illinois 60601 ("Grantee"), forever the following described real estate situated in the County of Cook, in the State of Illinois, to wit:

See Exhibit A attached hereto and made a part hereof.

Common Street Addresses: 371 Inland Drive, Wheeling, Illinois 60090

Property Index Numbers: 03-12-300-157-0000

Together with all and singular hereditaments and appurtenances belonging thereto, or in any way appertaining, and the reversion or reversions, remainder or remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of Grantor, either at law or in equity of, in and to the above-described premises, with the hereditaments and appurtenances.

WHEELING  
Real Estate Transfer Approved  
Initials: MB Date: 7/28/21  
VALID FOR A PERIOD OF THIRTY (30)  
DAYS FROM THE DATE OF ISSUANCE

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

And the Grantor, for itself and its successors, does covenant, promise and agree to and with Grantee and its successors that it has not done or suffered to be done, anything whereby the said premises hereby granted is, or may be, in any manner encumbered or charged, except as herein recited; and that it is lawfully seized of said real estate in fee simple; and that it has good right and lawful authority to sell and convey said real estate; and that it WILL WARRANT AND DEFEND, the title and quiet possession to said premises against all persons lawfully claiming, or to claim the same, by, through or under Grantor, but none other, subject only to those matters listed on Exhibit B attached hereto and made a part hereof.

Property of Cook County Clerk's Office

Send Future Tax Bills to  
Ameritas HC Owner, LLC  
Attn: Joanna Dell  
121 W Wacker Dr  
Suite 1200  
Chicago IL 60601

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IN WITNESS WHEREOF, this Special Warranty Deed has been executed by Grantor on and as of the date first above written.

**Wasser Properties LLC**, an Illinois limited liability company

By: *Phillip E. Waters*  
Name: Phillip E. Waters  
Its: Authorized Signatory

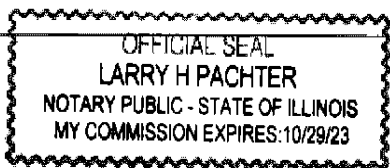
STATE OF ILLINOIS     )  
  )     SS  
COUNTY OF Leake     )

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT Phillip E. Waters, the Authorized Signatory of **Wasser Properties LLC**, an Illinois limited liability company, is 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, sealed and delivered the instrument as his free and voluntary act, and the voluntary act of the company, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 6<sup>th</sup> day of July, 2021.

*[Signature]*  
Notary Public

My commission expires:



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## Exhibit A

### Legal Description

#### PARCEL 1:

THAT PART OF LOT 1 IN HENRY GRANDT AND OTHERS SUBDIVISION OF PART OF SECTIONS 12 AND 13, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 29, 1923 AS DOCUMENT NUMBER 7790590, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT 476.39 FEET EAST AND 449.00 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 1 AS MEASURED ALONG THE SOUTH LINE THEREOF AND ALONG A LINE AT RIGHT ANGLES THERETO (THE SOUTH LINE OF SAID LOT 1 HAVING AN ASSUMED BEARING OF DUE EAST-WEST FOR THIS LEGAL DESCRIPTION)

THENCE NORTH 81 DEGREES 04 MINUTES 00 SECONDS WEST 36.08 FEET THENCE SOUTH 08 DEGREES 56 MINUTES 00 SECONDS EAST 53.46 FEET; THENCE SOUTH 81 DEGREES 04 MINUTES 00 SECONDS WEST 62.75 FEET; THENCE NORTH 08 DEGREES 56 MINUTES 00 SECONDS WEST 10.58 FEET; THENCE NORTH 81 DEGREES 04 MINUTES 00 SECONDS EAST 6 FEET; THENCE NORTH 08 DEGREES 56 MINUTES 00 SECONDS WEST 16.88 FEET; THENCE NORTH 36 DEGREES 04 MINUTES 00 SECONDS EAST 14.62 FEET; THENCE NORTH 08 DEGREES 56 MINUTES 00 SECONDS WEST 5.66 FEET; THENCE NORTH 81 DEGREES 04 MINUTES 00 SECONDS EAST 4.56 FEET; THENCE NORTH 21 DEGREES 04 MINUTES 00 SECONDS EAST 11.55 FEET; TO THE POINT OF BEGINNING.

#### PARCEL 2:

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS, PARKING AND UTILITIES FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN THE INSTRUMENT DATED JUNE 9, 1988 AND RECORDED JUNE 10, 1988 AS DOCUMENT NO. 88253526.

#### PARCEL 3:

NON-EXCLUSIVE EASEMENT FOR INGRESS AND EGRESS FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN THE INSTRUMENT DATED SEPTEMBER 1, 1978 AND RECORDED OCTOBER 12, 1978 AS DOCUMENT NO. 24666972 AS AMENDED BY AGREEMENT RECORDED MAY 14, 1980 AS DOCUMENT 25456482.

#### PARCEL 4:

NON-EXCLUSIVE EASEMENT FOR THE BENEFIT OF PARCEL 1 FOR PARTY WALLS, INGRESS AND EGRESS AS CREATED BY THE AMENDMENT AND RESTATEMENT OF DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS PARTY WALLS AND EASEMENT DATED JUNE 9, 1988 AND RECORDED JUNE 10, 1988 AS DOCUMENT NO. 88253528 AND BY SUPPLEMENTAL DECLARATION RECORDED DECEMBER 20, 1989 AS DOCUMENT NO. 89608946.

Addresses: 371 Inland Drive, Wheeling, Illinois 60090

PIN Nos.: 03-12-300-157-0000

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## EXHIBIT B

### PERMITTED EXCEPTIONS

1. Taxes for the second installment of 2020 and taxes for 2021 not yet due or payable.
2. Memorandum of lease made by Harris Trust and Savings Bank, a corporation of Illinois, as trustee under trust agreement dated November 2, 1979 and known as trust number 40017 to Harris Trust and Savings Bank, a corporation of Illinois, as trustee under trust agreement dated July 29, 1980 and known as trust number 40667 dated March 15, 1981 and recorded March 16, 1981 as document no. 25806846 demising the Land for a term of years commencing March 1, 1981 and terminating February 28, 2081 and all rights thereunder of, and all acts done or suffered thereunder by, said lessee or by any party claiming by, through, or under said lessee.
3. Notice of storm water detention requirements recorded May 8, 1978 as Document No. 24437086.
4. Annual Maintenance Assessment of Wheeling Drainage District No. 1 under law docket no. 266337co book 402 page 421.
5. Grant of easement recorded October 12, 1978 as Document 24666972 and as amended by Easement Agreement recorded May 14, 1980 as Document 25456482 to include easements for parking and maintenance of the same made by and between Harris Trust and Savings Bank, a corporation of Illinois, as Trustee under Trust Agreement dated November 10, 1977, known as trust number 38086 and wheeling Trust and Savings Bank, as Trustee under Trust Agreement dated October 21, 1978, known as Trust Number 631 and 632 over the Land and other property for the purpose of ingress and egress to and from Wolf Road for pedestrian and vehicular traffic for the installation of advertising signs and for installation, maintenance, repair and continued use of utility lines.
6. Easement, if any, granted to Public Service Company for maintenance of Poles and wires as referred to in the warranty deed from Joseph R. Lauletta, Jr. And Sigrid A. Lauletta, his wife to Fred William Wolf and Mariee Wolf, dated January 2, 1948 and recorded January 6, 1948 as Document 14225562.
7. Easement, if any, granted to Public Service Company for maintenance of poles and wires as referred to in the Agreement dated December 20, 1950 as Document 14978151.
8. Rights of the public, the State of Illinois and the municipality in and to that part of the Land taken or used for Milwaukee Avenue and Wolf Road.
9. Grant recorded October 31, 1960 as document no. 18004038 made by Arthur Clesen and Mary Ann Clesen, his wife to Northern Illinois Gas Company, its successors and assigns of the right to lay, maintain, operate, renew and remove a gas main and other necessary gas facilities in, upon, under and along the East side of the public highway known as Wolf Road which extends along the West side of or through the West 1207.08 feet of Lot 1.
10. Terms, provisions, conditions and limitations set forth in a Cooperating Association Agreement made by and between Harris Trust and Savings Bank as Trustee under Trust Agreement dated December 26, 1986 known as Trust Number 43884 and the Twin Oaks Owners Association, a copy of which was recorded as Document 90083585 amended by Document 90113001.

Plan and agreement of merger between the Oaks Owners Association and Twin Oaks Owners Association recorded June 19, 2020 as Document 2017108028.

Amended and Restated Declaration of by-laws of the Oaks Owners Association recorded July 21, 2020 as Document 2020316031.

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11. Watermain and Sanitary Sewer Easement recorded October 15, 1980 as Document Number 25624541.
12. Easement as created by Grant recorded January 23, 1980 as Document No. 25332747 to the Commonwealth Edison Company.
13. Grant of easement to Public Service Company of Northern Illinois for gas mains on Milwaukee Avenue as created by instrument recorded as Document 5425704.
14. Public Utility easement and covenants, Conditions and Restrictions Therein Contained recorded on February 17, 1981 as document numbers 25775992, 25786797, 26329652, 26348021 (modified by instrument recorded as document no. 26466737), 26462004, 26462005, 26845284 and 86000862.
15. Covenants, conditions, easements and restrictions including assessments contained in instruments recorded as Documents 88253527, 88253528, 89608946 and 90083585.

Note: said instrument contains no provision for a forfeiture of or reversion of title in case of breach of condition.

16. Terms, provisions, conditions and limitations of the agreement made by and between Harris Trust and Savings Bank, a corporation of Illinois, as trustee under trust agreement dated July 29, 1980 and known as trust number 40667 and Harris Trust and Savings Bank, a corporation of Illinois, as trustee under trust agreement dated July 29, 1980 and known as trust nos. 40554 and 40672 dated March 15, 1981 and recorded March 16, 1981 as document no. 25806847, to provide party wall rights, easements and covenants and restrictions.
17. Terms, provisions and conditions contained in the Plat of Annexation to The Wheeling Park District recorded December 22, 2003 as Document 0335639064 and December 29, 2003 as Document 336344119.
18. Easements granted to Public Service Company for maintenance of Poles and wires as referred to in deed recorded as document no. 14225562.
19. Easement Agreement recorded as document no. 88253526 by and between American National Bank and Trust Company of Chicago as Trustee under Trust agreement dated March 16, 1988 known as Trust Number 104904-07 and Harris Trust and Savings Bank as Trustee under Trust Number 40985 for parking, vehicular and pedestrian ingress and egress, and maintenance of utility facilities over and upon part of the Land and other property.

Rights of adjoining owners to the concurrent use of said easement.

20. Rights of tenants in possession, as tenants only, under existing unrecorded leases, identified in the rent roll attached to the ALTA statement dated July \_\_\_\_, 2021, none of which contain any rights of first refusal, or options to purchase or rights of first offer and all rights thereunder of the lessees and of any person or party claiming by, through or under the lessees.
21. Easement contained in a grant recorded January 23, 1980 as Document 25332747 over portions described in Exhibit 'A' attached thereto granted to the Commonwealth Edison Company, its successors and assigns to install electrical facilities and to repair and maintain same.