

# UNOFFICIAL COPY

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RECORDED AT THE REQUEST OF  
AND WHEN RECORDED RETURN TO  
AND MAIL TAX BILL TO:

WRPV XIV Tides Chicago, L.L.C.  
c/o Waterton Associates  
222 S. Riverside Plaza, 20<sup>th</sup> Floor  
Chicago, Illinois 60606



Doc# 2135733076 Fee \$88.00

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

KAREN A. YARBROUGH

COOK COUNTY CLERK

DATE: 12/23/2021 12:49 PM PG: 1 OF 10

## THIS DOCUMENT PREPARED BY:

Ron Gart, Esq.  
Seyfarth Shaw LLP  
975 F Street, N.W.  
Washington, DC 20004

## PROPERTY ADDRESS:

360 E. South Water Street  
Chicago, Illinois 60601

## P.I.N.:

17-10-318-082-0000

## SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED (this "Deed"), made this 22<sup>nd</sup> day of December, 2021, between **TIDES AT LAKESHORE EAST LLC**, a limited liability company created and existing under and by virtue of the laws of the State of Delaware and duly authorized to transact business in the State of Illinois (the "Grantor") and **WRPV XIV TIDES CHICAGO, L.L.C.**, a Delaware limited liability company (the "Grantee"), with a mailing address of 222 S. Riverside Plaza, 20<sup>th</sup> Floor, Chicago, Illinois 60606, WITNESSETH, that the 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 the Grantee, the receipt and sufficiency of which is hereby acknowledged, and pursuant to authority of the Board of Directors of said corporation, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto the Grantee, and to its heirs and assigns, FOREVER, all the real estate, situated in the County of Cook and State of Illinois described on Exhibit A, attached hereto and made a part hereof (the "Property").

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 Property, with the hereditaments and


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appurtenances: TO HAVE AND TO HOLD the Property, with the appurtenances, unto the Grantee, its heirs and assigns forever.



And the Grantor, for itself, and its successors, does covenant, promise and agree, to and with the Grantee, its heirs and assigns, that, subject to the Permitted Exceptions described on Exhibit B, attached hereto and made a part hereof, it has not done or suffered to be done, anything whereby the Property hereby granted is, or may be, in any manner encumbered or charged, except as herein recited; and that the Property, against all persons lawfully claiming, by, through or under Grantor, to the foregoing extent and subject to the Permitted Exceptions described on Exhibit B, attached hereto and made a part hereof, the Grantor WILL WARRANT AND DEFEND.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

| REAL ESTATE TRANSFER TAX  |               | 23-Dec-2021         |
|---|---------------|---------------------|
|  | CHICAGO:      | 1,567,821.50        |
|   | CTA:          | 627,129.00          |
|   | <b>TOTAL:</b> | <b>2,194,950.50</b> |

17-10-318-082-0000 | 20211201674134 | 0-275-077-776

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

| REAL ESTATE TRANSFER TAX  |               | 23-Dec-2021       |
|---|---------------|-------------------|
|   | COUNTY:       | 42,021.50         |
|   | ILLINOIS:     | 84,043.00         |
|   | <b>TOTAL:</b> | <b>126,064.50</b> |

17-10-318-082-0000 | 20211201674134 | 0-451-828-368


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

**GRANTOR:**

**TIDES AT LAKESHORE EAST LLC,**  
a Delaware limited liability company

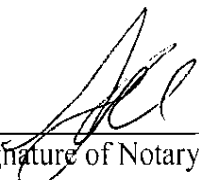
By: BIT Investment Thirty-Four, LLC,  
its sole member

By:   
Name: Kenneth M. Marty, Jr.  
Title: Vice President/Assistant Secretary

STATE OF MARYLAND )  
County ) SS  
CITY OF BALTIMORE )

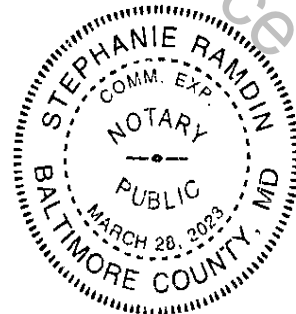
I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Kenneth M. Marty, Jr., Vice President/Assistant Secretary of Tides at Lakeshore East LLC, a Delaware limited liability company, personally known to me to be the person holding such offices in such limited liability company whose name is subscribed to the foregoing Special Warranty Deed, appeared before me this day in person and acknowledged that he signed and delivered said Special Warranty Deed as his free and voluntary acts and as the free and voluntary act of said limited liability company for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 9th day of December, 2021.

  
Signature of Notary Public

My Commission Expires: March 28th 2023

(Seal)



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## EXHIBIT A

### Description of the Property

#### PARCEL 1:

LOT 14, TOGETHER WITH THE EAST 2.00 FEET OF LOT 22 IN LAKESHORE EAST SUBDIVISION, BEING A SUBDIVISION OF THE UNSUBDIVIDED LANDS LYING EAST OF AND ADJOINING FORT DEARBORN ADDITION TO CHICAGO, SAID ADDITION BEING IN THE SOUTHWEST FRACTIONAL QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, ACCORDING TO THE PLAT OF SAID LAKESHORE EAST SUBDIVISION RECORDED MARCH 4, 2003 AS DOCUMENT 0030301045.

#### PARCEL 2:

NON-EXCLUSIVE EASEMENT APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1, INCLUDING EASEMENTS FOR ACCESS TO IMPROVEMENTS BEING CONSTRUCTED OVER, TEMPORARY CONSTRUCTION EASEMENT AREAS, FOR PEDESTRIAN AND VEHICULAR INGRESS AND EGRESS ON, OVER THROUGH AND ACROSS THE STREETS, AND TO UTILIZE THE UTILITIES AND UTILITY EASEMENTS, IN AND UPON LOTS AND PARTS OF LOTS IN LAKESHORE EAST SUBDIVISION AFOREMENTIONED, ALL AS MORE PARTICULARLY DEFINED, DESCRIBED AND CREATED BY DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKESHORE EAST MADE BY AND BETWEEN LAKESHORE EAST LLC, LAKESHORE EAST PARCEL P LLC, AND ASN LAKESHORE EAST LLC DATED AS OF JUNE 26, 2002 AND RECORDED JULY 2, 2002 AS DOCUMENT 0020732020, AS AMENDED BY FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF MARCH 3, 2003 AND RECORDED MARCH 7, 2003 AS DOCUMENT 0030322531, AND AS FURTHER AMENDED BY SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF NOVEMBER 12, 2004 AND RECORDED NOVEMBER 19, 2004 AS DOCUMENT 0432427091 AND RE-RECORDED AS DOCUMENT 0501919095, AND AS FURTHER AMENDED BY THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF FEBRUARY 24, 2005 AND RECORDED FEBRUARY 25, 2005 AS DOCUMENT 0505632009, AMENDED BY THE FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST LLC DATED AS OF FEBRUARY 24, 2005 AND RECORDED FEBRUARY 25, 2005 AS DOCUMENT 0505632012, AND AMENDED BY FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST EXECUTED BY LAKESHORE EAST, LLC DATED AS OF OCTOBER 27, 2006 AND RECORDED NOVEMBER 9, 2006 AS DOCUMENT 0631333004 AND RE-RECORDED FEBRUARY 9, 2007 AS DOCUMENT 0704044062, AND NOTICE OF SATISFACTION OF

Exhibit A

Special Warranty Deed

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CONDITIONS RELATING TO FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST AND FIRST AMENDMENT TO PARCELS 1 AND 2 DEVELOPMENT AND EASEMENT AGREEMENT EXECUTED BY LAKESHORE EAST, LLC AND ASN LAKESHORE EAST LLC DATED AS OF FEBRUARY 9, 2007 AND RECORDED MAY 22, 2007 AS DOCUMENT 0714222037, AND AMENDED BY SIXTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST DATED AS OF DECEMBER 20, 2007 AND RECORDED DECEMBER 21, 2007 AS DOCUMENT 0735531065 AND RE-RECORDED APRIL 8, 2008 AS DOCUMENT 0809910104, AND AMENDED BY SEVENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST DATED AS OF NOVEMBER 13, 2008 AND RECORDED NOVEMBER 14, 2008 AS DOCUMENT 0831910034, AND AMENDED BY EIGHTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST DATED AS OF NOVEMBER 13, 2008 AND RECORDED NOVEMBER 14, 2008 AS DOCUMENT 0831910035, AS AMENDED BY AMENDMENT TO EIGHTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST DATED AS OF FEBRUARY 10, 2011 AND RECORDED FEBRUARY 15, 2011 AS DOCUMENT 1104616038, AND AMENDED BY NINTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST DATED AS OF JANUARY 10, 2011 AND RECORDED MARCH 17, 2011 AS DOCUMENT 1107644102, AMENDED BY TENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST DATED AS OF APRIL 18, 2013 AND RECORDED APRIL 23, 2013 AS DOCUMENT 1311318049, AND LAST AMENDED BY ELEVENTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS FOR LAKESHORE EAST DATED AS OF JANUARY 16, 2014 AND RECORDED JANUARY 16, 2014 AS DOCUMENT 1401644060.

Address: 360 E. South Water Street, Chicago, IL 60601

PIN: 17-10-318-082-0000 Vol. 510

Exhibit A

Special Warranty Deed

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## EXHIBIT B

### Permitted Exceptions

1. Real property taxes and assessments for the year 2021 and thereafter, not yet due and payable.
2. Zoning and other regulatory laws and ordinances affecting the Property.
3. Rights of tenants in possession, as tenants only, under unrecorded occupancy agreements.
4. Easements, rights of way, limitations, conditions, covenants, restrictions, and all other matters of record.
5. Terms, provisions, covenants, conditions, restrictions and easements contained and defined in Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, made by and among Lakeshore LLC, Lakeshore East Parcel P LLC and Assn Lakeshore East LLC, a Delaware limited liability company dated as of June 26, 2002 and recorded July 2, 2002, as Document Number 0020732020, including but not limited to the following Easements for construction, street utilities, pedestrian and vehicular access improvements, maintenance, and parks; and covenants, conditions and restrictions relating to zoning compliance, use, subdivision, dedications and vacation, establishment of a design review committee, administration of common elements, establishment of an association, common expenses, assessments and liens; together with rights of the adjoining owner or owners to the concurrent use of said easements granted therein;

First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated as of March 3, 2003 and recorded March 7, 2003, as document number 0030322531.

Second Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East LLC dated as of November 12, 2004 and recorded November 19, 2004, as document number 0432427091 and re-recorded January 19, 2005 as document number 0501919098

Third Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated as of February 24, 2005 and recorded February 25, 2005, as document no. 0505632009

Fourth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated as of February 24, 2005 and recorded February 25, 2005 as document no. 0505632012

Fifth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated as of October 27, 2006 and recorded November 9, 2006, as document no. 0631333004 and re-recorded February 9, 2007, as document no. 0704044062

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Sixth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated as of December 20, 2007 and recorded December 21, 2007 as document 0735531065 and re-recorded April 8, 2008, as document 0809910104

Seventh Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated as of November 13, 2008 as document 0831910034.

Eighth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated as of November 13, 2008 and recorded November 14, 2008, as document 0831910035, amendment to Eighth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated as of February 10, 2011 and recorded February 15, 2011, as document 1104616038

Ninth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated as of January 10, 2011 and recorded March 17, 2011 as document 1107644102

Tenth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated as of April 18, 2013 and recorded April 23, 2013, as document 1311318049.

Notice of Satisfaction of Conditions Relating to Fifth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, and First Amendment to Parcels 1 and 2 Development and Easement Agreement dated as February 9, 2007 and recorded May 22, 2007, as document no. 0714222037

Eleventh Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated January 16, 2014 and recorded January 16, 2014, as document no. 1401644060

Amended and Restated Twelfth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated April 30, 2018, as document no. 1819744029

Thirteenth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated March 9, 2019 and recorded April 1, 2019, as document no. 1909134079

Fourteenth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for Lakeshore East, dated September 16, 2019 and recorded September 18, 2019, as document no. 1926117130

Separate Agreements relating to particular lots in Lakeshore East recorded as document 0505632014. Said instrument contains no provision for a forfeiture of or a reversion of title in case of breach of condition.

(Affects Parcel 1 and 2)

Exhibit B

Special Warranty Deed

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6. Covenants and restrictions contained in the agreement titled "Easements, Covenants and Restrictions" dated June 25, 1986 and recorded June 30, 1986 as document number 86267044 made by American National Bank and Trust Company of Chicago, as Trustee under trust number 60312 (owner of the hotel site) and American National Bank and Trust Company of Chicago, as trustee under trust agreements known as trust numbers 45250, 45251 and 46968 (owner of building sites) Metropolitan Structures and Illinois Center Corporation, relating to development and use of the hotel site; accessory parking; gross floor area of the upper level, office space and retail space; Land Coverage; construction and maintenance of a plaza level and concourse level and Pedestrian Mall; location of improvements on the Land and prior approval of plans.

First Amendment made by and among American National Bank and Trust Company of Chicago, as trustee under trust number 60312 (owner of the hotel site) and American National Bank and Trust Company of Chicago, as trustee under trust agreements known as trust numbers 45250, 45251, 46968 and 56375 (owner of building sites) Metropolitan Structures and Illinois Center Corporation, dated as of June 27, 1996 and recorded July 9, 1996 as document no. 96522549.

(Affects Parcel 1 and 2)

7. Terms, provisions and conditions contained in Ordinance recorded January 3, 2003 as document no. 0030143439.

(Affects Parcel 1 and 2)

8. Easements granted in the deed from Illinois Central Railroad Company, a corporation of Illinois to American National Bank and Trust Company, as trustee under trust agreement dated April 9, 1963 and known as trust number 17460 dated May 1, 1962 and recorded April 9, 1963 as document no. 18467558.

(Affects Parcel 1 and 2)

9. Easements for utilities, exclusive parking spaces, maintenance of existing encroachments, access, emergency pedestrian egress and air intake vertically within the ComEd utility easement area, the ComEd parking access easement area, and other defined areas, as contained in ComEd easement agreement dated June 26, 2002 and recorded July 2, 2002 as document no. 0020732346 made by and among Lakeshore East LLC; Lakeshore East Parcel P LLC; Asn Lakeshore East LLC and the Commonwealth Edison Company and the terms, provisions and covenants therein.

(Affects Parcel 1 and 2)

10. Non-exclusive utility easement in favor of the Commonwealth Edison Company within the interim easement areas as more particularly described and contained in ComEd interim easement agreement dated June 26, 2002 and recorded July 2, 2002 as document no. 0020732024 made by and among Lakeshore East LLC; Lakeshore East Parcel P LLC; Asn Lakeshore East LLC and the Commonwealth Edison Company and the terms, provisions and covenants therein.

Exhibit B

Special Warranty Deed



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First Amendment recorded March 4, 2003 as document no. 0030301044.

(Affects Parcel 1 and 2)

11. Easement(s) for the purpose(s) and rights incidental thereto, as granted in a document, granted to Peoples Energy, for purpose of utility easement, as reserved in Ordinance recorded on March 4, 2002 as Document No. 0030301040.

(Affects Parcel 1)

12. City of Chicago public utility easements as depicted on plat of Lakeshore East Subdivision recorded March 4, 2003, as Document Number 0030301045.

(affects North 66 feet of Lot 14 of Parcel 1)

13. Grant of Easement for the purpose(s) and rights incidental thereto, as granted in a document, granted to Comcast Cable Communications Management LLC, for purpose to provide broadband communications services, recorded on November 10, 2020 as Document No. 2031504008.

(Affects Parcel 1 and 2)

14. Grant of Easement(s) for the purpose(s) and rights incidental thereto, as granted in a document, granted to Gemchi (IL) LLC, for purpose vehicular ingress and egress, recorded on April 23, 2013 as Document No. 1314318052, and the terms and provisions contained therein.

Amendment to Grant of Easements recorded May 1, 2014 as document no. 1412145051 and July 16, 2018 as document no. 1819744030.

(Affects Parcel 1 and 2)

15. Terms, covenants, conditions and restrictions contained in the No Further Remediation Letter recorded May 5, 2010 as document no. 1012544060.

(Affects Parcel 1)

16. Terms, provisions and conditions contained in Zoning Rights Allocation Agreement recorded May 25, 2006 as document no. 0614545164.

(Affects Parcel 1)

17. Terms and provisions contained in Memorandum of Agreement recorded April 28, 2016 as document no. 1611929090 with regards to a Letter Agreement dated April 28, 2016 with respect to certain properties located in the Lakeshore East subdivision.

(Affects Parcel 1 and 2)

Exhibit B

Special Warranty Deed

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18. Agreed Division Order recorded March 9, 2017 as document no. 1706819030 in regards to Special assessment docket no. 58763 between Tides and Gems World Academy and the terms and provisions contained therein.

(Affects Parcel 1)

19. Encroachment of Canopy located mainly on the Land and onto the Public Right-of-Way South and adjoining by an undisclosed amount as disclosed by survey prepared by Gremley & Biedermann, dated August 11, 2021, Order No. 2021-29071-001.
20. Encroachment of Construction Scaffolding located mainly on the Land and onto the Public Right-of-Way East and adjoining by an undisclosed amount as disclosed by survey prepared by Gremley & Biedermann, dated August 11, 2021, Order No. 2021-29071-001.

Property of Cook County Clerk's Office