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CEDRIC GILES
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Date 5/7/2024 10:33 AM Pg: 1 of 10

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ST/Co Stamp 0-575-740-208 ST Tax \$0.00 CO Tax \$0.00

WARRANTY TRUSTEES DEED

THE GRANTOR, Shana Majmudar, Dennis Tobin and Joann Abdo, not individually but as successor trustees of the Morris B. Squire Trust dated May 3, 2004,

for and in consideration of Ten and 00/100 (\$10.00) DOLLARS and other good and valuable consideration in hand paid, **CONVEYS** and **WARRANTS** to City of Des Plaines, an Illinois municipal corporation, of 1420 Miner St., Des Plaines IL, **THE GRANTEE**, fee simple title and all interest in the following described Real Estate situated in the County of Cook, State of Illinois, to wit:

See legal description attached hereto and incorporated herein as Exhibit A


Commonly known as: 1796 NW Rand Road
Des Plaines, IL 60016

P.I.N.: 09-16-107-015-0000 and 09-16-107-016-0000

SUBJECT TO: See Exhibit A and Exhibit B attached hereto and incorporated herein.

Hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois.

DATED this 26 day of April, 2024

Exempt deed or instrument
eligible for recordation
without payment of tax. 5-6-24

City of Des Plaines

[signature and notary pages follow]



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Shana Majmudar, Dennis Tobin and Joann Abdo, successor trustees of the Morris B. Squire Trust dated May 3, 2004

Joann Abdo
Joann Abdo, as trustee aforesaid

STATE OF NORTH CAROLINA)
COUNTY OF Mecklenburg) SS.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, **DO HEREBY CERTIFY** that Joann Abdo, successor trustee of the Morris B. Squire Trust dated May 3, 2004, known or proven 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 she signed the said instrument as her free and voluntary act, as trustee aforesaid, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 24th day of April, 2024.



K. Paige Merck
Notary Public
My Commission Expires 02/07/2028

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Shana Majmudar, Dennis Tobin and Joann Abdo, successor trustees of the Morris B. Squire Trust dated May 3, 2004

Shana L. Majmudar
Shana Majmudar, as trustee aforesaid

STATE OF ILLINOIS)
COUNTY OF LaSalle) SS.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, **DO HEREBY CERTIFY** that Shana Majmudar, successor trustee of the Morris B. Squire Trust dated May 3, 2004, known or proven 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 she signed the said instrument as her free and voluntary act, as trustee aforesaid, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 25 day of April, 2024.



Lisa Painter
Notary Public
My Commission Expires 9/13/25

Prepared by and Mail to:
Peter Friedman
Elrod Friedman LLP
325 N. LaSalle St Suite 450
Chicago, IL 60654

THIS TRANSACTION IS EXEMPT UNDER
35 ILLINOIS COMPILED STATUTES 200/31-
45(b).

Send Tax Bill to:
City Attorney
City of Des Plaines
1420 Miner St.
Des Plaines, IL 60016

[Signature] 4/26/24
NAME DATE

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EXHIBIT A

LEGAL DESCRIPTION

Parcel 1: That part of Lot 24 in L. Hodges' Subdivision of parts of Sections 16 and 17 in Township 41 North, Range 12 East of the Third Principal Meridian, according to the plat thereof recorded August 19, 1872 as Document No. 50684 in Cook County, Illinois, described as follows: beginning at a point on the Northeast right of way line of Rand Road, said Northeast right of way line being the Northeast line of the Southwest 50 feet of said Lot 24, and the Southeast line of Lot 5, as monumented and occupied, in the subdivision of the Northwest 265 feet of Lot 24 of L. Hodges' Subdivision, according to the plat thereof recorded June 19, 1924 as Document Number 221608, (said point being 276.86 feet Southeast of the Northwest line of Lot 24); thence South $64^{\circ}13'36''$ East on a bearing based on the Illinois State Plane Coordinate System East Zone NAD 83, a distance of 58.00 feet; thence North $25^{\circ}56'16''$ East, a distance of 262.85 feet to a point on the Northeast Line of said Lot 24; thence North $64^{\circ}05'04''$ West along the Northeast line of Lot 24 a distance of 58.00 feet to the Northeast corner of said Lot 5, as monumented; thence South $25^{\circ}56'16''$ West a distance of 262.99 feet along the Southeasterly line of said Lot 5, as monumented and occupied, in the subdivision of the Northwest 265 feet of Lot 24 aforesaid, to the point of beginning, in Cook County, Illinois.

Parcel 2: That part of Lot 24 in L. Hodges' Subdivision of parts of Sections 16 and 17 in Township 41 North, Range 12 East of the Third Principal Meridian, according to the plat thereof recorded August 19, 1872 as Document No. 50684 in Cook County, Illinois, described as follows: beginning at a point on the Northeast right of way line of Rand Road, said Northeast right of way line being the Northeast line of the Southwest 50 feet of said Lot 24, at a point 69.13 feet Southeast of the monumented and occupied Southeast line of Lot 5 in the subdivision of the Northwest 265 feet of Lot 24 of L. Hodges' Subdivision, according to the plat thereof recorded June 19, 1924 as Document Number 221608; thence North $26^{\circ}18'14''$ East on a bearing based on the Illinois State Plane Coordinate System East Zone NAD 83, a distance of 141.74 feet; thence North $64^{\circ}13'33''$ West, 9.64 feet; thence North $25^{\circ}46'27''$ East, 121.11 feet to a point on the Northeast Line of said Lot 24 that is 60.05 feet Southeast of the monumented Northeast corner of said Lot 5, as measured on the Northeast line of said Lot 24; thence North $64^{\circ}05'04''$ West on said Northeast line of Lot 24 2.05 feet; thence South $25^{\circ}56'16''$ West a distance of 262.85 feet to the Northeast right of way line of Rand Road, as aforementioned; thence South $64^{\circ}13'36''$ East a distance of 11.09 feet to the point of beginning, in Cook County, Illinois.

Commonly known as: 1796 NW Rand Road, Des Plaines, IL 60016

P.I.N.: 09-16-107-015-0000 and 09-16-107-016-0000

SUBJECT TO:

REAL ESTATE TAXES NOT YET DUE AND PAYABLE.

Terms, conditions, restrictions, and easements contained in the Temporary Construction Easement by and between Forest Hospital, Inc. and the People of the State of Illinois, Department of Transportation recorded February 5, 2021 as document number 2103642061.

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EXHIBIT B

DEED RESTRICTION

WHEREAS, the Metropolitan Water Reclamation District of Greater Chicago ("District"), as authorized by the Metropolitan Water Reclamation District Act (70 ILCS 2605/1 *et seq.*), administers a Flood-Prone Property Acquisition Program ("Program");

WHEREAS, the Program provides a process for units of local government to apply to the District for funds to assist in acquiring interests in property, including the purchase of structures in the floodplain, to demolish and/or remove the structures, and to maintain the use of such property as open space in perpetuity for the conservation of natural floodplain functions;

WHEREAS, the Illinois General Assembly has appropriated funds to the Illinois Department of Natural Resources ("IDNR") to provide assistance to the City of Des Plaines ("City") under Public Act 98-0675, Article 8, Section 10 and Public Act 98-0675, Article 8, Section 125; and

WHEREAS, the City has applied for and will receive assistance from IDNR pursuant to an Intergovernmental Agreement with IDNR to the extent allowed by its statutory authority under the "Flood Control Act of 1945," ("Flood Control Act") 615 ILCS 15/1 *et Seq.*

WHEREAS, the City, acting through the City's Mayor and City Council, has also applied for, and been awarded, District funds, pursuant to an Intergovernmental Agreement with the District for the Acquisition, Conversion To and Maintenance of Open Space of Certain Flood Prone Parcels Located Along the Des Plaines River in the City of Des Plaines ("Intergovernmental Agreement") to carry out the Project described therein;

WHEREAS, the Flood Control Act and terms of the Program require that the City agree to conditions that restrict the use of the land to public open space in perpetuity;

Now, therefore, the grant is made subject to the following conditions:

1. Terms. Pursuant to the terms of the Flood Control Act and the Intergovernmental Agreement by and between the City and the IDNR and the Intergovernmental Agreement by and between the City and the District, the following conditions and restrictions shall apply in perpetuity to the parcel described in the attached deed (the "Parcel(s)") and acquired by the City for open space:
 - a. Compatible uses. The Parcel shall be dedicated and maintained in perpetuity as open space for the preservation and conservation of natural floodplain functions. Such uses may include, but are not necessarily limited to: parks for outdoor recreational activities; wetlands management; nature reserves; cultivation; grazing; camping (except where adequate warning time is not available to allow evacuation); unimproved, unpaved parking lots; buffer zones; and other uses consistent with the Project.
 - b. Structures. No new structures or improvements shall be erected on the Parcel other than:

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- i. A public facility that is open on all sides and functionally related to a designated open space or recreational use;
- ii. A public rest room; or
- iii. A structure that is compatible with open space and conserves the natural function of the floodplain, including the uses described in Paragraph 1(a), above.

Any improvements on the Parcel shall be in accordance with proper floodplain management policies and practices. Structures built on the Parcel according to paragraph (b) of this section shall be floodproofed or elevated to at least the base flood level plus one foot of freeboard, or greater, if required by the Federal Emergency Management Agency ("FEMA"), the District, or if required by any State, Tribal, County or local ordinance, and in accordance with criteria established by the FEMA Administrator.

- c. **Disaster Assistance and Flood Insurance.** No Federal entity or source may provide disaster assistance for any purpose with respect to the Parcel, nor may any application for such assistance be made to any Federal entity or source.
 - d. **Transfer/Sale.** Any subsequent transfer or sale of the Parcel, by the City or any subsequent owner, representative or assign ("Successor in Interest"), must comply with this deed restriction. For any proposed transfer or sale, IDNR and the District must give prior written approval, in accordance with the following requirements:
 - i. The City, or any Successor in Interest, may convey a property interest to the United States or any agency of the federal government, an agency of the State, or to a unit of local government. Conveyance of any property interest must reference and incorporate this original deed restriction, and it must incorporate a provision for the property interest to revert to the City in the event that the transferee ceases to exist or loses its eligible status.
 - ii. The request by the City, or any Successor in Interest, to transfer or sell the Parcel must include a signed statement from the proposed transferee in which it acknowledges and agrees to be bound by the terms of this deed restriction.
2. **Inspection.** The District and IDNR, their representatives and assigns shall have the right to enter upon the Parcel, at reasonable times and with reasonable notice, for the purpose of inspecting the Parcel to ensure compliance with the terms of this deed restriction, the Parcel conveyance and the terms of the Intergovernmental Agreements.
 3. **Monitoring and Reporting.** Every three years on July 1, beginning in 2024, the City, or the current Successor in Interest, shall submit to the District and IDNR a report certifying that the City or Successor in Interest has inspected the Parcel within the month preceding the report, and that the Parcel continues to be maintained consistent with this Deed Restriction and the Intergovernmental Agreements.

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4. Enforcement. The current owner of record of the Parcel, whether it is the City, or its Successor in Interest, is responsible for taking measures to bring the Parcel back into compliance if the Parcel is not maintained in accordance with the terms of this deed restriction. The relative rights and responsibilities of the City or subsequent holders of the property interest at the time of enforcement shall include the following:
- a. The District or IDNR shall notify the current owner of record in writing of any violations and advise them that they have 60 days to correct the violation(s).
 - i. If the owner of record fails to demonstrate a good faith effort to come into compliance with the terms of the Agreement within the 60-day period, the District or IDNR, its representatives, and assignees may enforce the terms of the deed restriction by taking any measures it deems appropriate, including but not limited to one or more of the following:
 - a) Requiring transfer of title from the owner of record back to the City. The owner of record shall bear the costs of bringing the Parcel back into compliance with the terms of the Agreement; or
 - b) Bringing an action at law or in equity in a court of competent jurisdiction against the current owner of record. The owner of record shall pay all reasonable attorneys' fees.
 - b. Following these efforts to attain compliance, if the Parcel continues not to be used for flood control or other approved public or water resource purposes, ownership of the Parcel shall transfer to the State of Illinois. IDNR may bring an action at law or in equity in a court of competent jurisdiction against the current owner of record to accomplish this transfer.
5. Perpetual/Permanent Easement in favor of the District. The City, or any Successor in Interest, acknowledges that in the future, the District may require use of the purchased Parcel for the purpose of constructing a flood control project, including, but not limited to, reservoirs, floodwalls, levees, bio-retention systems, porous pavement, bioswales, constructed wetlands, underground storage, and conveyance improvements. To that end, this deed restriction, which is applicable to the City and any Successor in Interest, shall constitute a perpetual and permanent easement in favor of the District for any and each of the above-referenced items contained herein.

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STATEMENT BY GRANTOR AND GRANTEE

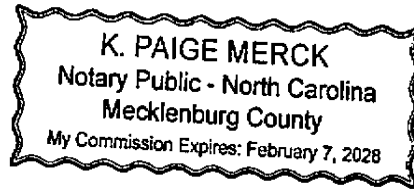
The grantor or his/her agent affirms that, to the best of his/her knowledge, the name of the grantee as shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated this 26th day of April, 2024.

Signature: *[Handwritten Signature]*
Grantor or Agent

SUBSCRIBED and SWORN to before me by said Grantor this 26th day of April, 2024.

[Handwritten Signature]
Notary Public



The grantee or his/her agent affirm and verifies that the name of the grantee as shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated this _____ day of _____, 2024.

Signature: _____
Grantee or Agent

SUBSCRIBED and SWORN to before me by said Grantee this _____ day of _____, 2024.

Notary Public

NOTE: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

[Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.]

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STATEMENT BY GRANTOR AND GRANTEE

The grantor or his/her agent affirms that, to the best of his/her knowledge, the name of the grantee as shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated this 25 day of April, 2024.

Signature: *Ahana Majmudar*
Grantor or Agent

SUBSCRIBED and SWORN to before me by
said Grantor this 25 day of
April, 2024.

Lisa Painter
Notary Public



The grantee or his/her agent affirm and verifies that the name of the grantee as shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated this _____ day of _____, 2024.

Signature: _____
Grantee or Agent

SUBSCRIBED and SWORN to before me by
said Grantee this ____ day of _____,
2024.

Notary Public

NOTE: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

[Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.]

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STATEMENT BY GRANTOR AND GRANTEE

The grantor or his/her agent affirms that, to the best of his/her knowledge, the name of the grantee as shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated this _____ day of _____, 2024.

Signature: _____
Grantor or Agent

SUBSCRIBED and SWORN to before me by said Grantor this _____ day of _____, 2024.

Notary Public

The grantee or his/her agent affirm and verifies that the name of the grantee as shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated this 22nd day of April, 2024.

Signature: *[Handwritten Signature]*
Grantee or Agent

SUBSCRIBED and SWORN to before me by said Grantee this 22nd day of April, 2024.

Laura K Fast
Notary Public



NOTE: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

[Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.]