

3 of 4 Documents (GIG-E-221) - Order No. H449-3881 (CLTIC)

THIS INDENTURE, made this 20th day of August, 1992, between AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, a corporation duly organized and existing as a national banking association under the laws of the United States of America, and duly authorized to accept and execute trusts within the State of Illinois, not personally but as Trustee under the provisions of a deed or deeds in trust duly recorded and delivered to said national banking association in pursuance of a certain Trust Agreement, dated the 3rd day of January, 1990, and known as Trust Number 109385-04 party of the first part, and

LASALLE NATIONAL TRUST, N.A.

as Trustee under the provisions of a certain Trust Agreement, dated the 17th day of August, 1992, and known as Trust Number 117282, party of the second part. WITNESSETH, that said party of the first part, in consideration of the sum of Ten and no/100 (\$10.00) Dollars, and other good and valuable considerations in hand paid, does hereby convey and quit-claim unto said party of the second part, the following described real estate, situated in Cook County, Illinois, to-wit:

DEPT-01 RECORDERS

\$33.50

T#7777 TRUN : 08/21/92 16:00

#2045 # 423906

COOK COUNTY RECORDER

See Exhibit A attached hereto and made a part hereof.

92523906

together with the tenements and appurtenances thereunto belonging, subject to the matters set forth in Exhibit B attached hereto and made a part hereof.

TO HAVE AND TO HOLD the said real estate with the appurtenances, upon the trusts, and for the uses and purposes herein and in said Trust Agreement set forth.

THE TERMS CONDITIONS APPEARING ON THE REVERSE SIDE OF THIS INSTRUMENT ARE MADE A PART HEREOF.

And the said grantor hereby expressly waives and releases any and all right or benefit under and by virtue of any and all statutes of the State of Illinois, providing for exemption or homesteads from sale on execution or otherwise.

This deed is executed by the party of the first part, as Trustee, as aforesaid, pursuant to direction and in the exercise of the power and authority granted to and vested in it by the terms of said Deed or Deeds in Trust and the provisions of said Trust Agreement above mentioned, including the authority to convey directly to the Trustee grantee named herein, and of every other power and authority thereunto enabling. This deed is made subject to the liens of all trustdeeds and/or mortgages upon said real estate, if any, recorded or registered in said county.

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by one of its Vice Presidents or its Assistant Vice Presidents and attested by its Assistant Secretary, the day and year first above written.

AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO
as Trustee, as aforesaid, and not personally.

By _____
Assistant Secretary

Attest _____
Lilita M. Lukus ASSISTANT SECRETARY



STATE OF ILLINOIS } SS.
COUNTY OF COOK }

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that the above named and Assistant Secretary of the AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, a national banking association, Grantor, personally knows to me to be the same persons whose names are subscribed to the foregoing instrument as such Vice President and Assistant Secretary respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said national banking association for the uses and purposes therein set forth; and the said Assistant Secretary then and there acknowledged that said Assistant Secretary, as custodian of the corporate seal of said national banking association caused the corporate seal of said national banking association to be affixed to said instrument as said Assistant Secretary's own free and voluntary act and as the free and voluntary act of said national banking association for the uses and purposes therein set forth.

This instrument prepared by:

American National Bank

Given under my hand and Notary Seal.

Date August 20, 1992

Notary Public

33.50

DEED DELIVERY
NAME J. Dean Heller
Morgan, Lewis & Bockius
STREET 801 South Grand Avenue
CITY Los Angeles, California 90017
OR

FOR INFORMATION ONLY
INSERT STREET ADDRESS OF ABOVE
DESCRIBED PROPERTY HERE

5500 N. River Road
Rosemont, Illinois 60018

INSTRUCTIONS

RECORDER'S OFFICE BOX NUMBER

This space for affixing riders and revenue stamps

Document Number

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Full power and authority is hereby granted to said Trustee to improve, manage, protect and subdivide said real estate or any part thereof, to dedicate parks, streets, highways or alleys to vacate any subdivision or part thereof, and to resubdivide said real estate as often as desired, to contract to sell, to grant options to purchase, to sell on any terms, to convey either with or without consideration, to convey said real estate or any part thereof to a successor or successors in trust and to grant to such successor or successors in trust all of the title, estate, powers and authorities vested in said Trustee, to donate, to dedicate, to mortgage, pledge or otherwise encumber said real estate, or any part thereof, to lease said real estate, or any part thereof, from time to time, in possession or reversion, by leases to commence in praesenti or in futuro, and upon any terms and for any period or periods of time, not exceeding in the case of any single demise the term of 99 years, and to renew or extend leases upon any terms and for any period or periods of time and to amend, change or modify leases and the terms and provisions thereof at any time or times hereafter, to contract to make leases and to grant options to lease and options to renew leases and options to purchase the whole or any part of the reversion and to contract respecting the manner of fixing the amount of present or future rentals, to partition or to exchange said real estate, or any part thereof, for other real or personal property, to grant easements or charges of any kind, to release, convey or assign any right, title or interest in or about or easement appurtenant to said real estate or any part thereof, and to deal with said real estate and every part thereof in all other ways and for such other considerations as it would be lawful for any person owning the same to deal with the same, whether similar to or different from the ways above specified, at any time or times hereafter.

In no case shall any party dealing with said Trustee, or any successor in trust, in relation to said real estate, or to whom said real estate or any part thereof shall be conveyed, contracted to be sold, leased or mortgaged by said Trustee, or any successor in trust, be obliged to see to the application of any purchase money, rent or money borrowed or advanced on said real estate, or be obliged to see that the terms of this trust have been complied with, or be obliged to inquire into the authority, necessity or expediency of any act of said Trustee, or be obliged or privileged to inquire into any of the terms of said Trust Agreement; and every deed, trust deed, mortgage, lease or other instrument executed by said Trustee, or any successor in trust, in relation to said real estate shall be conclusive evidence in favor of every person (including the Registrar of Titles of said county) relying upon or claiming under any such conveyance, lease or other instrument, (a) that at the time of the delivery thereof the trust created by this Indenture and by said Trust Agreement was in full force and effect, (b) that such conveyance or other instrument was executed in accordance with the trusts, conditions and limitations contained in this Indenture and in said Trust Agreement or in all amendments thereof, if any, and binding upon all beneficiaries thereunder, (c) that said Trustee, or any successor in trust, was duly authorized and empowered to execute and deliver every such deed, trust deed, lease, mortgage or other instrument and (d) if the conveyance is made to a successor or successors in trust, that such successor or successors in trust have been properly appointed and are fully vested with all the title, estate, rights, powers, authorities, duties and obligations of its, his or their predecessor in trust.

This conveyance is made upon the express understanding and condition that neither Grantee, individually or as Trustee, nor its successor or successors in trust shall incur any personal liability or be subjected to any claim, judgment or decree for anything it or they or its or their agents or attorneys may do or omit to do in or about the said real estate or under the provisions of this Deed or said Trust Agreement or any amendment thereto, or for injury to person or property happening in or about said real estate, any and all such liability being hereby expressly waived and released. Any contract, obligation or indebtedness incurred or entered into by the Trustee in connection with said real estate may be entered into by it in the name of the then beneficiaries under said Trust Agreement as their attorney-in-fact, hereby irrevocably appointed for such purposes, or at the election of the Trustee, in its own name, as Trustee of an express trust and not individually (and the Trustee shall have no obligation whatsoever with respect to any such contract, obligation or indebtedness except only so far as the trust property and funds in the actual possession of the Trustee shall be applicable for the payment and discharge thereof). All persons and corporations whomsoever and whatsoever shall be charged with notice of this condition from the date of the filing for record of this Deed.

The interest of each and every beneficiary hereunder and under said Trust Agreement and of all persons claiming under them or any of them shall be only in the earnings, avails and proceeds arising from the sale or any other disposition of said real estate, and such interest is hereby declared to be personal property, and no beneficiary hereunder shall have any title or interest, legal or equitable, in or to said real estate as such, but only an interest in earnings, avails and proceeds thereof as aforesaid, the intention hereof being to vest in said Grantee the entire legal and equitable title in fee simple, in and to all of the real estate above described.

If the title to any of the above real estate is now or hereafter registered, the Registrar of Titles is hereby directed not to register or note in the certificate of title or duplicate thereof, or memorial, the words "in trust," or "upon condition," or "with limitations," or words of similar import, in accordance with the statute in such case made and provided.

99033006

EXHIBIT A

LEGAL DESCRIPTION
FOR
RADISSON O'HARE SUITE HOTEL

LEGAL DESCRIPTION

PARCEL 1:

THAT PART OF LOT 1 IN ROSEMONT-WILLIAM STREET ADDITION, BEING A SUBDIVISION OF PART OF LOT 2 IN HENRY HACHMEISTER'S DIVISION IN THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF A LINE DRAWN AT RIGHT ANGLES TO THE NORTH LINE OF SAID LOT 1, 249.83 FEET EAST OF THE NORTH WEST CORNER OF SAID LOT 1, EXCLUDING THE WEST 307.5 FEET OF THE FOREGOING DESCRIBED TRACT, IN COOK COUNTY, ILLINOIS;

PARCEL 2:

LEASEHOLD ESTATE CREATED IN LEASE MADE BY VILLAGE OF ROSEMONT TO AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE, UNDER TRUST AGREEMENT DATED AUGUST 1, 1985 AND KNOWN AS TRUST NUMBER 65403, DATED OCTOBER 3, 1985 AND RECORDED OCTOBER 3, 1985 AS DOCUMENT NUMBER 85218947, AND AS ASSIGNED BY LESSEE TO AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE, UNDER TRUST AGREEMENT DATED JANUARY 3, 1990 AND KNOWN AS TRUST NUMBER 109385-04 BY ASSIGNMENT OF PARKING LEASE RECORDED JUNE 22, 1990 AS DOCUMENT NUMBER 90299078 DEMISING THE LAND FOR A TERM OF YEARS BEGINNING OCTOBER 3, 1985 AND ENDING 99 YEARS THEREFROM AND ALL RIGHTS THEREUNDER, AND AS MODIFIED BY AGREEMENT FOR USE AND OPERATION OF PARKING FACILITY DATED AUGUST 17, 1992 AND RECORDED AUGUST 20, 1992 AS DOCUMENT NUMBER 92618003, HEREINAFTER DESCRIBED AS FOLLOWS:

PARCEL 2A:

THE WEST 307.5 FEET OF THAT PART OF LOT 1 IN ROSEMONT-WILLIAM STREET ADDITION, BEING A SUBDIVISION OF PART OF LOT 2 IN HENRY HACHMEISTER'S DIVISION IN THE NORTH WEST 1/4 OF SECTION 10, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF A LINE DRAWN AT RIGHT ANGLES TO THE NORTH LINE OF SAID LOT 1, 249.89 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 1, IN COOK COUNTY, ILLINOIS;

PARCEL 2B:

THAT PART OF LOT 1 IN ROSEMONT-WILLIAM STREET ADDITION, BEING A SUBDIVISION OF PART OF LOT 2 IN HENRY HACHMEISTER'S DIVISION IN THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF A LINE AT RIGHT ANGLES TO THE NORTH LINE OF SAID LOT 1, 249.83 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 1, IN COOK COUNTY, ILLINOIS;

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COOK COUNTY CLERK'S OFFICE
111 N. LAUREL ST. CHICAGO, IL 60602
TEL: (312) 603-4000 FAX: (312) 603-4001
WWW.COOKCOUNTYCLERK.COM

Property of Cook County Clerk's Office

92621900

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PARCEL 2C:

THAT PART OF LOT 2 IN ROSEMONT-WILLIAM STREET ADDITION, BEING A SUBDIVISION OF PART OF LOT 2 IN HENRY HACHMEISTER'S DIVISION IN THE NORTHWEST 1/4 OF SECTION 10, TOWNSHIP 40 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF A LINE DRAWN OVER A POINT OF THE WEST LINE OF SAID LOT, 53.65 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT TO THE NORTHEAST CORNER OF SAID LOT IN COOK COUNTY, ILLINOIS.

Common Address: 5500 River Road, Rosemont, Illinois 60018

Property Index Numbers: 12-10-100-105
12-10-100-115
12-10-100-114
12-10-100-103
12-10-100-090
12-10-100-093

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EXHIBIT B
TO
PURCHASE AND SALE AGREEMENT
RELATING TO THE
RADISSON O'HARE SUITE HOTEL

Permitted Exceptions

1. GENERAL REAL ESTATE TAXES FOR THE YEARS 1991 AND SUBSEQUENT YEARS RELATING TO PARCEL 1 OF THE LAND AND GENERAL REAL ESTATE TAXES FOR ANY YEAR RELATING TO THE LEASEHOLD ESTATE DESCRIBED AS PARCEL 2 OF THE LAND;
2. THE GOVERNMENTAL RIGHT OF POLICE POWER;
3. THE EFFECT OF ANY LAW, ORDINANCE OR GOVERNMENTAL REGULATION RELATING TO ENVIRONMENTAL PROTECTION;
4. ANY LAW, ORDINANCE OR GOVERNMENTAL REGULATION, INCLUDING BUT NOT LIMITED TO, BUILDING AND ZONING ORDINANCES, RESTRICTIONS REGULATING OR PROHIBITING THE OCCUPANCY, USE OR ENJOYMENT OF THE PREMISES, OR REGULATING THE CHARACTER DIMENSIONS OR LOCATION OR ANY IMPROVEMENT NOW OR HEREAFTER ERECTED ON THE PREMISES, OR PROHIBITING A SEPARATION IN OWNERSHIP OR A CHANGE IN THE DIMENSIONS OR AREA OF THE PREMISES OR ANY PARCEL OF WHICH THE PREMISES IS OR WAS A PART;
5. THE EFFECT OF ANY VIOLATION OF THE MATTERS REFERRED TO IN ITEMS 2, 3 AND 4 ABOVE;
6. RIGHTS OF EMINENT DOMAIN;
7. THE EFFECT OF ACTS DONE OR SUFFERED BY OR CLAIMED TO BE DONE OR SUFFERED BY, OR JUDGMENTS AGAINST THE PURCHASER, OR ANY PERSONS OR ENTITIES CLAIMING BY, THROUGH, OR UNDER THE PURCHASER;
8. INTENTIONALLY OMITTED;
9. TAXES AND ASSESSMENTS WHICH ARE A LIEN OR DUE AND PAYABLE, AND ANY TAX, SPECIAL ASSESSMENTS, CHARGES OR LIEN IMPOSED FOR WATER OR SEWER SERVICE, OR FOR ANY OTHER SPECIAL TAXING DISTRICT, ANY UNREDEEMED TAX SALES;
10. THE RIGHTS OR CLAIMS OF TENANTS UNDER UNRECORDED LEASES, IF ANY.
11. MATTERS SHOWN BY THE PLAT OF SUBDIVISION RELATING TO THE LAND.
12. RIGHTS RESERVED IN WARRANTY DEED RECORDED NOVEMBER 11, 1911 AS DOCUMENT NUMBER 4865642.

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13. TERMS, PROVISIONS AND CONDITIONS AS SET FORTH IN DEED DATED OCTOBER 3, 1985 AND RECORDED OCTOBER 3, 1985 AS DOCUMENT NUMBER 85218946.
14. TERMS, PROVISIONS, CONDITIONS, COVENANTS AND RESTRICTIONS CONTAINED IN LEASE AND OPERATING AGREEMENT BY AND BETWEEN THE VILLAGE OF ROSEMONT (LANDLORD), AND AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE, UNDER TRUST AGREEMENT DATED AUGUST 1, 1985 AND KNOWN AS TRUST NUMBER 65403 (TENANT) AS SHOWN IN INSTRUMENT RECORDED OCTOBER 3, 1985 AS DOCUMENT NUMBER 85218947.
15. ASSIGNMENT OF PARKING LEASE SHOWN ABOVE BY THE LESSEE TO AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE, UNDER TRUST AGREEMENT DATED JANUARY 3, 1990 AND KNOWN AS TRUST NUMBER 109385-04 IN INSTRUMENT RECORDED JUNE 22, 1990 AS DOCUMENT NUMBER 90299078.
16. GRANT OF NON-EXCLUSIVE EASEMENT DATED NOVEMBER 5, 1987 RECORDED NOVEMBER 6, 1987 AS DOCUMENT NUMBER 87600618, BY AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE, UNDER TRUST AGREEMENT DATED AUGUST 1, 1985 AND KNOWN AS TRUST NUMBER 65403 FOR THE BENEFIT OF AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE, UNDER TRUST AGREEMENT DATED JANUARY 15, 1985 AND KNOWN AS TRUST NUMBER 63321.
17. GRANT OF EASEMENT DATED AUGUST 9, 1986 AND RECORDED MARCH 31, 1988 AS DOCUMENT NUMBER 88134068, BY AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE, UNDER TRUST AGREEMENT DATED AUGUST 1, 1985 AND KNOWN AS TRUST NUMBER 65403 FOR THE BENEFIT OF COMMONWEALTH EDISON COMPANY AND ILLINOIS BELL TELEPHONE COMPANY, THEIR SUCCESSORS AND/OR ASSIGNS.
18. MEMORANDUM OF PARKING AGREEMENT DATED NOVEMBER 2, 1988 AND RECORDED DECEMBER 14, 1988 AS DOCUMENT NUMBER 88576474 AND AS AMENDED BY DOCUMENT RECORDED JULY 25, 1990 AS NUMBER 90-358728, BETWEEN THE VILLAGE OF ROSEMONT AND AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE, UNDER TRUST AGREEMENT DATED DECEMBER 12, 1986 AND KNOWN AS TRUST NUMBER 100841-0 AND FIFIELD-ROSEMONT ASSOCIATES.
19. MEMORANDUM OF PARKING AGREEMENT DATED APRIL 1, 1987 AND RECORDED DECEMBER 29, 1987 AS DOCUMENT NUMBER 87678128 AND AS AMENDED BY RECORDED DOCUMENT NUMBER 89157582, BETWEEN THE VILLAGE OF ROSEMONT AND AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE, UNDER TRUST AGREEMENT DATED NOVEMBER 6, 1987 AND KNOWN AS TRUST NUMBER 104030-04 AND HOTEL O'HARE VENTURE.

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NOTE: ALL REFERENCES IN THIS EXHIBIT TO RECORDED DOCUMENTS RELATE TO DOCUMENTS RECORDED IN THE PUBLIC RECORDS OF COOK COUNTY, ILLINOIS.

PARAGRAPHS 2 THROUGH 6, 9 AND 10 ABOVE CONSTITUTE PERMITTED EXCEPTIONS ONLY AS THEY REFER TO GENERAL PRINTED EXCEPTIONS IN THE TITLE POLICY AND NOT WITH RESPECT TO ANY SPECIFIC MATTER WHICH MAY BE DISCLOSED BY THE TITLE COMMITMENT OR SURVEY AND WHICH IS NOT SPECIFICALLY REFERRED TO ON THIS EXHIBIT B.

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