

# UNOFFICIAL COPY

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DEPT-01 RECORDING \$39.50  
T#0001 TRAN 3143 03/19/96 15:25:00  
#3286 RC \*-96-207667  
COOK COUNTY RECORDER

*This space reserved for Recorder's use only.*

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## SPECIAL WARRANTY DEED

This Indenture, made as of the 19th day of March, 1996, between The Prudential Insurance Company of America, a corporation created and existing under and by virtue of the laws of the State of New Jersey, party of the first part, and Great Lakes Property Group Trust, a trust formed pursuant to the laws of the State of Illinois, whose address is c/o Kensington Realty Advisors, Inc., 77 West Wacker Drive, Suite 3350, Chicago, Illinois 60601, Attention: James S. Smith, party of the second part, WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten Dollars (\$10.00) 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 its successors, FOREVER, all the real estate legally described on Exhibit A attached hereto and made a part hereof, situated in the County of Cook and State of Illinois.

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise 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 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, 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, and successors, 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 it **WILL WARRANT AND**

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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

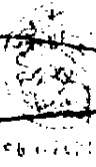
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MAR 13 96 DEPT OF REVENUE 999.00

STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

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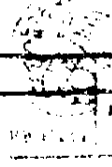
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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

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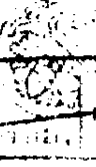
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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

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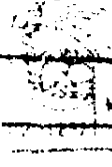
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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

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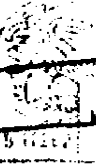
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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

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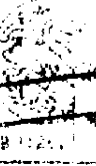
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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

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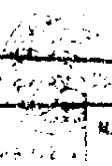
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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

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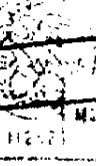
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STATE OF ILLINOIS  
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MAR 13 96 DEPT OF REVENUE 999.00



STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

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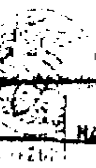
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STATE OF ILLINOIS  
REAL ESTATE TRANSFER TAX

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MAR 13 96 DEPT OF REVENUE 999.00



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MAR 13 96 DEPT OF REVENUE 999.00



STATE OF ILLINOIS  
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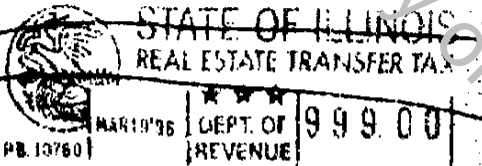
FOREVER DEFEND, the said premises against all persons lawfully claiming, or to claim the same, by, through or under it, subject only to those matters described on Exhibit B attached hereto and made a part hereof by this reference.

IN WITNESS WHEREOF, said party of the first part has caused this Indenture to be executed in its name to be signed to these presents by its authorized representative, the day and year first above written.

**THE PRUDENTIAL INSURANCE COMPANY OF AMERICA**, a New Jersey corporation



By: Jeri Meese  
Name: Jeri Meese  
Its: Vice President



Attest:  
By: [Signature]  
Name: Durmond McQuinn  
Its: Asst. Secy. TAX

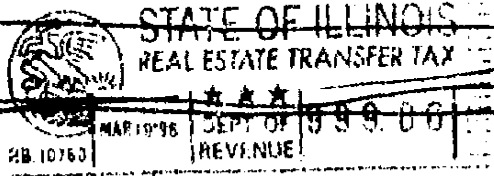
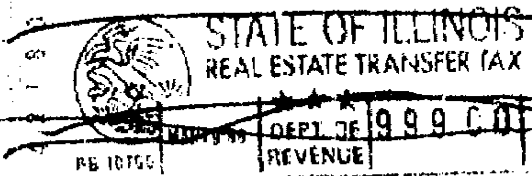
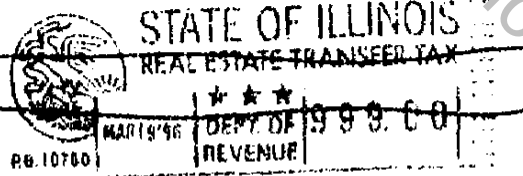
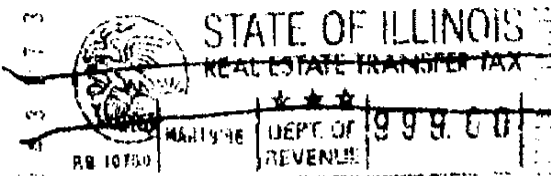
This Instrument Prepared by:



Peter B. Ross, Esq., Rudnick & Wolfe, 203 North LaSalle Street, Suite 1800, Chicago, Illinois 60601

After Recording Return to:

David J. Bryant, Esq., Katten Muchin & Zavis, 525 West Monroe, Suite 1600, Chicago, Illinois 60661



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STATE OF ILLINOIS

REAL ESTATE TRANSFER TAX

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REVENUE DEPT OF MAR 19'96 999.00

REVENUE



STATE OF ILLINOIS

REAL ESTATE TRANSFER TAX

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REVENUE DEPT OF MAR 19'96 999.00

REVENUE

Cook County

REAL ESTATE TRANSACTION TAX

REVENUE

STAMP MAR 19'96

FB 11422



999.00

Cook County

REAL ESTATE TRANSACTION TAX

REVENUE

STAMP MAR 19'96

FB 11422



999.00

Property of Cook County Clerk's Office

Cook County

REAL ESTATE TRANSACTION TAX

REVENUE

STAMP MAR 19'96

FB 11422



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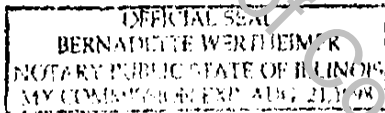
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STATE OF Illinois )  
 ) SS.  
COUNTY OF Cook )

I, Bernadette Hutheiser, a Notary Public in and for said County in the State aforesaid, do hereby certify that Jessie Moore, Vice President of The Prudential Insurance Company of America, a New Jersey corporation, and Dorinda McWilliams, ASST. SECRETARY of said corporation, personally known to me to be the same persons whose names are subscribed to the foregoing instrument as such respective officers, appeared before me this day in person and acknowledged that they signed and delivered such instrument as their own free and voluntary acts and as the free and voluntary act of said corporation, for the uses and purposes set forth therein.

GIVEN under my hand and notarial seal this 14<sup>th</sup> day of March, 1996.



Bernadette Hutheiser  
Notary Public

My Commission expires:

P.I.N.: 15-04-201-017

Address: 4219 Bloomington Avenue  
Oakton Heights, Illinois

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## EXHIBIT "A"

### DESCRIPTION OF THE PROPERTY

Lot 218 formerly known as Commercial Tract, in Tiburon Planned Unit Development Plat in part of the East half (1/2) of the North East quarter (1/4) of Section 1, Township 42 North, Range 10 East of the Third Principal Meridian and part in the West half (1/2) of the North West quarter (1/4) of Section 6, Township 42 North, Range 11 East of the Third Principal Meridian, recorded July 8, 1977 as Document 24004946 (corrected by Certificate of Correction recorded September 26, 1977 as Document 24121632 and October 21, 1977 as Document 24159150), excepting therefrom that part dedicated for public roadways by Plat of Dedication recorded July 11, 1985 as Document 85098153 and excepting therefrom that part dedicated for public roadway by Plat of Dedication recorded July 11, 1985 as Document 85098154, in Cook County, Illinois

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EXHIBIT "B"

PERMITTED ENCUMBRANCES

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## Permitted Exceptions

1. (A) GENERAL REAL ESTATE TAXES FOR THE YEARS 1995 AND 1996. TAX NUMBER 02-01-202-002-0000 VOLUME 148.

~~NOTE: THE AMOUNT OF THE 1994 TAXES ARE \$647,500.01.~~

~~NOTE: THE 1995 AND 1996 TAXES ARE NOT YET DUE AND PAYABLE.~~

- ~~2. (B) THE FACTS AND CIRCUMSTANCES SURROUNDING THE RELEASE RECORDED AS DOCUMENT NUMBER 89164446 SHOULD BE EXPLAINED TO THE SATISFACTION OF NEAR NORTH NATIONAL TITLE INSURANCE COMPANY AND THIS COMMITMENT WILL BE SUBJECT TO SUCH FURTHER EXCEPTIONS AS MAY BE NECESSARY.~~

3. (C) RIGHT OF TENANTS <sup>AS TENANTS ONLY</sup> UNDER EXISTING UNRECORDED LEASES AND OF ALL PARTIES CLAIMING BY, THROUGH OR UNDER THEM.

4. (D) MEMORANDUM OF LEASE DATED JANUARY 10, 1993 AND RECORDED MARCH 3, 1993 AS DOCUMENT NUMBER 89159817, BY AND BETWEEN CHASE COIN METER COMPANY/COMMERCIAL COIN LAUNDRY SYSTEMS, LESSEE, AND TRACEL C/O MANAGEMENT INC., LESSOR, FOR LAUNDRY ROOM FACILITIES.

5. (E) BUILDING LINES AS SHOWN ON THE PLAT OF SURVEY MADE BY LUDLOW AND ASSOCIATES, INC., DATED DECEMBER 14, 1988, AS FOLLOWS:

THE SOUTH 30 FEET OF THE LAND

THE NORTH 25 FEET OF THE LAND

25 FEET MEASURED FROM THE NORTHWESTERLY LINE OF BLOOMINGTON AVENUE.

25 FEET MEASURED FROM THE SOUTHEASTERLY LINE OF BLOOMINGTON AVENUE.

6. (F) EASEMENT IN, UPON, UNDER, OVER AND ALONG THE PARTS OF THE LAND TO INSTALL AND MAINTAIN ALL EQUIPMENT FOR THE PURPOSES OF SERVING THE LAND AND OTHER PROPERTY WITH TELEPHONE AND ELECTRIC SERVICE, TOGETHER WITH RIGHT OF ACCESS TO SAID EQUIPMENT, AS CREATED BY GRANT TO VILLAGE OF ARLINGTON HEIGHTS, COMMONWEALTH EDISON COMPANY, ILLINOIS BELL TELEPHONE COMPANY AND CABLE NET RECORDED JANUARY 10, 1986 AS DOCUMENT 86014880 AND EASEMENT FOR SIMILAR MATTERS TO COMMONWEALTH EDISON AND ILLINOIS BELL TELEPHONE COMPANY AS GRANTEE RECORDED APRIL 29, 1986 AS DOCUMENT 86166120.

(NOTE: SEE DOCUMENTS FOR SPECIFIC AREA AFFECTED)

NOTE: DISCLAIMER OF EASEMENT RIGHTS BY COMMONWEALTH EDISON RECORDED JUNE 19, 1986 AS DOCUMENT 86250799.

7. (G) NOTICE OF REQUIREMENT FOR STORM WATER DETENTION RECORDED FEBRUARY 28, 1978

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AS DOCUMENT 24344625 AND ADDITIONAL NOTICE OF REQUIREMENT FOR STORM WATER DETENTION RECORDED MAY 10, 1985 AS DOCUMENT 95016853.

8. (H) EXISTING 10 INCH WATER MAIN ALONG THE SOUTH PROPERTY LINE BETWEEN BLOOMINGTON AVENUE AND GALESBURG AVENUE AS DISCLOSED BY PLAT OF SURVEY MADE BY LUDLOW AND ASSOCIATES, INC., DATED DECEMBER 14, 1988.
9. (I) TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THE ARBOR LAKES ON SITE UTILITY AND ROADWAY AGREEMENT RECORDED OCTOBER 18, 1985 AS DOCUMENT NUMBER 85242782 AND RECORDED FEBRUARY 21, 1986 AS DOCUMENT NUMBER 86072785 RELATING TO RESPONSIBILITY FOR AND MAINTENANCE OF SANITARY SEWERS, WATER RETENTION BASINS, STORM SEWERS, DOMESTIC WATER, ROADS AND PARKING LOTS AND LIGHTING ETC NOT WITHIN THE BOUNDARIES OF PUBLIC RIGHT OF WAYS OR DEDICATED EASEMENTS.

~~NOTE: THE ABOVE NOTED AGREEMENT CONTAINS A PROVISION AUTHORIZING THE VILLAGE (OF ARLINGTON HEIGHTS) TO ENTER THE PROPERTY TO CORRECT ANY DEFICIENCIES AND TO PLACE A LIEN AGAINST THE PREMISES. IT ALSO AGREES TO HAVE THE VILLAGE HARMLESS FROM ANY CLAIMS OR DAMAGES ARISING OUT OF THE ABOVE-NOTED AGREEMENT.~~

~~NOTE: FOR FURTHER PARTICULARS SEE THE DOCUMENT.~~

10. (J) TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THE AGREEMENT RECORDED FEBRUARY 21, 1986 AS DOCUMENT 86072784 MADE BY AND BETWEEN AMERICAN NATIONAL BANK AND TRUST COMPANY, AS TRUSTEE UNDER TRUST NUMBER 62047 AND THE VILLAGE OF ARLINGTON HEIGHTS RELATING TO CONSTRUCTION AND MAINTENANCE OF A MAN MADE DETENTION LAKE ON THE LAND.

NOTE: A RELEASE OF CLAIMS AND LIABILITY FROM CONSTRUCTION AND MAINTENANCE OF RETENTION BASIN WAS RECORDED OCTOBER 18, 1985 AS DOCUMENT 85242781 (SEE DOCUMENT FOR PARTICULARS).

11. (K) TERMS, PROVISIONS, CONDITIONS AND LIMITATIONS OF AN ORDINANCE AMENDING THE DEVELOPMENT PLAN FOR ARBOR LAKES APARTMENTS AND GRANTING A VARIATION, A COPY OF WHICH WAS RECORDED AUGUST 28, 1987 AS DOCUMENT 87475980, RELATING TO ENCLOSED PARKING STALLS.
12. (L) RIGHT, TITLE AND INTEREST OF COUNTY OF COOK IN AND TO THE APPROX 60 FEET OF THE LAND CONDEMNED FOR LAKE COOK ROAD ON A PETITION FILED NOVEMBER 10, 1976 IN CASE 76L22405.
13. (M) TERMS, PROVISIONS AND CONDITIONS OF THE REGULATORY AGREEMENT BY AND AMONG AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER TRUST AGREEMENT DATED AUGUST 27, 1984 AND KNOWN AS TRUST NUMBER 62047, LAKE COOK APARTMENTS VENTURE, AN ILLINOIS LIMITED PARTNERSHIP, THE VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS AND LABALLE NATIONAL BANK, A NATIONAL BANKING ASSOCIATION, AS TRUSTEE DATED AS OF AUGUST 1, 1985 AND RECORDED SEPTEMBER 8, 1985 WITH THE COOK COUNTY RECORDER OF DEEDS AS DOCUMENT NUMBER 85178004 RELATING TO VARIOUS MATTERS MORE PARTICULARLY DESCRIBED IN SAID AGREEMENT.
14. (N) FIRST AMENDMENT TO REGULATORY AGREEMENT, DATED AS OF MARCH 1, 1985 BY AND AMONG THE AFOREMENTIONED PARTIES AND RECORDED APRIL 13, 1989 AS DOCUMENT 89164443.

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18. (O) TERMS, PROVISIONS AND CONDITIONS OF THE ASSUMPTION AGREEMENT DATED AS OF MARCH 1, 1989 AND RECORDED APRIL 13, 1989 AS DOCUMENT NUMBER 89164444.
19. (P) AFFIDAVIT BY LAKE COOK APARTMENT VENTURE, AN ILLINOIS LIMITED PARTNERSHIP, RECORDED APRIL 13, 1989 AS DOCUMENT NUMBER 89164443.
17. (Q) RIGHTS OF THE PUBLIC, THE MUNICIPALITY AND THE STATE OF ILLINOIS IN AND TO THAT PART OF THE LAND TAKEN AND USED FOR ROADS AND HIGHWAYS, IF ANY.
18. (R) RIGHT OF WAY FOR DRAINAGE TILES, DRAINAGE DITCHES, FEEDERS AND LATERALS, AND OTHER DRAINAGE BASINMENTS, IF ANY.
19. Zoning and building regulations, insurance and rating codes and regulations, ordinances and requirements and any other laws, regulations or ordinances affecting the property set forth on Exhibit "A" or its use adopted by any authority having jurisdiction over such property and the use thereof.
20. Such state of facts as may be shown on a current and accurate survey of the property set forth on Exhibit "A" hereto.
21. Such state of facts as would be disclosed by a physical inspection of the property set forth on Exhibit "A" hereto.
22. Any matters created by or through party of the second part.

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