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This instrument was prepared by:
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Baker & McKenzie
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Chicago, Illinois 60601

After recording, mail to:

Tabitha Mitchell
Schwartz, Cooper, Greenberger & Kraus
Box 341
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Chicago, Illinois 60601

Above Space for Recorder's Use Only

N9701732 KW
1 of 2

SPECIAL WARRANTY DEED

DEARBORN-GOTHE DEVELOPMENT L.L.C., an Illinois limited liability company ("Grantor"), for ten dollars and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, grants and conveys and transfers to Robert A. Smoller and Judith G. Smoller,* whose address is 860 North Dewitt Place, Chicago, Illinois 60611, not in tenancy in common, but in tenancy by the entirety, with right of survivorship, all of Grantor's right, title and interest in and to:

*HUSBAND AND WIFE

(i) Unit 1402 in The Whitney Condominium as delineated on a survey of a parcel of land comprised of Lots 5 and 6 and the South 6.96 feet of Lot 7 in Simon's subdivision of Lot 6 in Bronson's addition to Chicago; Lots 1, 2 and 3 in the subdivision of Lot 5 together with Sub Lot 1 of Lot 4 in Bronson's addition to Chicago; and Lots 1 to 5, both inclusive, in Alice P. Holbrook's subdivision of Lot 4 in the subdivision of Lot 5 in Bronson's addition to Chicago; all in the North East 1/4 of Section 4, Township 39 North, Range 14 East of the Third Principal Meridian, in Cook County, Illinois, which survey (the "Plat") is attached as Exhibit "D" to the Declaration of Condominium Ownership for The Whitney Condominium recorded in Cook County, Illinois on December 31, 1996 as Document No. 96-932956, and amended by First Amendment recorded October 1, 1997 as Document No. 97-135677 (as so amended, the "Declaration"), together with its undivided percentage interest in the Common Elements; and

(ii) The Limited Common Element(s) comprised of Parking Space(s) numbered 51&52 as delineated on the Plat and as described in Subparagraph 8(a) of the Declaration;

Permanent Real Estate Index Number (post 1996): 17-04-218-048-1078

Permanent Real Estate Index Numbers (for condominium parcel prior to division): 17-04-218-014, 17-04-218-015, 17-04-218-016, 17-04-218-017, 17-04-218-018, and 17-04-218-019

Common Address: 1301 North Dearborn Parkway, Unit 1402, Chicago, Illinois 60610

all subject, however, to (i) general real estate taxes which are a lien but not yet due and payable, (ii) all rights, easements, covenants, conditions, options, restrictions and reservations contained in or established by said Declaration the same as though the provisions of said Declaration were recited and stipulated at length herein, (iii) adverse encroachment of the three story brick building and a stockade fence located mainly on the property north and adjoining the land described in the Declaration by various distances of

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