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97140058

. DEPT-01 RECORDING \$33.50
. T37777 TRAN 8228 02/28/97 15:47:00
. 11739 DR *97-140058
. COOK COUNTY RECORDER

FIRST AMERICAN TITLE INSURANCE #

CC102816 18 2 97

SPECIAL WARRANTY DEED

This SPECIAL WARRANTY DEED is made as of the 25th day of February, 1997 by I-90 HOTEL, INC., an Illinois corporation ("Grantor"), whose address is 75 Algonquin Road, Arlington Heights, Illinois, to 75 ARLINGTON HEIGHTS LIMITED PARTNERSHIP, L.P., a Delaware limited partnership ("Grantee"), whose address is 3860 West Northwest Highway, Suite 300, Dallas, Texas 75220.

WITNESSETH:

That Grantor, in consideration of Ten Dollars (\$10.00) in hand paid by Grantee, for other valuable consideration, receipt of which is hereby acknowledged, DOES HEREBY REMISE, RELEASE, ALIEN AND CONVEY UNTO GRANTEE, its successors and assigns, FOREVER, the real property situated in the County of Cook, State of Illinois, legally described on Exhibit A attached hereto and incorporated herein by this reference, 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 Grantor, 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 Grantee forever.

And the Grantor, for itself and its successors, does covenant, promise and agree to and with the Grantee and its successors, that Grantor 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 Grantor will WARRANT AND DEFEND, the said premises against all persons claiming, or to claim the same, by, through or under Grantor, subject only to the permitted encumbrances set forth on Exhibit B attached hereto and incorporated herein by this reference.

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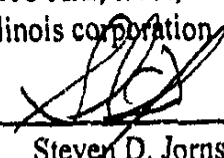
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IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the day and year first above written.

I-90 HOTEL, INC.,
an Illinois corporation

By: 
Steven D. Jorns, President

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Cook County
REAL ESTATE TRANSACTION TAX
REVENUE
STAMP FEB 20 07
EX. 11425
999.00

Cook County
REAL ESTATE TRANSACTION TAX
REVENUE
STAMP FEB 20 07
EX. 11425
489.00

059146
REAL ESTATE TRANSACTION TAX
REVENUE
STAMP FEB 20 07
EX. 11425
162.00
Cook County

This Instrument Prepared By:

Kris E. Curran
Coffield Ungaretti & Harris
3500 Three First National Plaza
Chicago, Illinois 60602

After Recording Return To:

Eric Landau, Esq.
Battle Fowler LLP.
75 East 55th Street
New York, NY 10022



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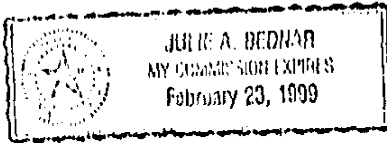
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ACKNOWLEDGEMENT OF I-90 HOTEL, INC.

STATE OF Texas)
COUNTY OF Dallas) SS.

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that STEVEN D. JORNS, the President, of I-90 HOTEL, INC., an Illinois corporation, personally known to me to be the same person whose name is subscribed to the foregoing instrument as such officer, appeared before me this day in person and acknowledged that he signed and delivered the said instrument as his own free and voluntary act and as the free and voluntary act of said corporation, for the uses and purposes therein set forth.

Given under my hand and Notarial Seal this 25th day of February, 1997.



Julie A. Bednar
Notary Public

My Commission expires: 2/23/99

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EXHIBIT A

Legal Description

PARCEL 1:

LOT 1 IN ARLINGTON HEIGHTS PLACE SUBDIVISION, BEING A SUBDIVISION IN SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT RECORDED AS DOCUMENT NO. 25261219 AND FILED AS DOCUMENT NO. LR3133810 IN COOK COUNTY, ILLINOIS EXCEPT FOR THE FOLLOWING DESCRIBED LAND:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE ON AN ASSUMED BEARING OF SOUTH 10 DEGREES 40 MINUTES 00 SECONDS WEST ALONG THE EASTERLY LINE OF SAID LOT 1 A DISTANCE OF 20.80 FEET TO A POINT ON A 1375.00 FOOT RADIUS CURVE, THE CENTER OF CIRCLE OF SAID CURVE BEARS NORTH 26 DEGREES 35 MINUTES 14 SECONDS EAST FROM SAID POINT; THENCE NORTHWESTERLY ALONG SAID CURVE, RADIUS 1375.00 FEET, CENTRAL ANGLE 8 DEGREES 23 MINUTES 05 SECONDS, 201.22 FEET TO A POINT ON A 2547.29 FOOT RADIUS CURVE, THE CENTER OF CIRCLE OF SAID CURVE BEARS NORTH 27 DEGREES 55 MINUTES 41 SECONDS EAST FROM SAID POINT; THENCE NORTHWESTERLY ALONG SAID CURVE, RADIUS 2547.29 FEET, CENTRAL ANGLE 3 DEGREES 41 MINUTES 37 SECONDS, 164.21 FEET; THENCE SOUTH 31 DEGREES 39 MINUTES 17 SECONDS WEST 9.00 FEET TO A POINT ON A 2551.07 FOOT RADIUS CURVE, THE CENTER OF CIRCLE OF SAID CURVE BEARS NORTH 32 DEGREES 51 MINUTES 12 SECONDS EAST FROM SAID POINT; THENCE NORTHWESTERLY ALONG SAID CURVE, RADIUS 2551.07 FEET, CENTRAL ANGLE 0 DEGREES 35 MINUTES 54 SECONDS, 26.64 FEET TO THE WESTERLY LINE OF SAID LOT 1; THENCE NORTH 32 DEGREES 56 MINUTES 06 SECONDS EAST ALONG THE SAID WESTERLY LINE OF LOT 1 A DISTANCE OF 14.43 FEET TO THE NORTHWEST CORNER OF SAID LOT 1, BEING ALSO A POINT ON A 2541.29 FOOT RADIUS CURVE, THE CENTER OF CIRCLE OF SAID CURVE BEARS NORTH 32 DEGREES 12 MINUTES 53 SECONDS EAST FROM SAID POINT; THENCE SOUTHEASTERLY ALONG SAID CURVE, BEING ALSO THE NORTHERLY LINE OF SAID LOT 1, RADIUS 2541.29 FEET, CENTRAL ANGLE 5 DEGREES 37 MINUTES 38 SECONDS, 249.59 FEET (249.56 FEET, RECORDED); THENCE SOUTH 63 DEGREES 24 MINUTES 45 SECONDS EAST ALONG TANGENT, BEING ALSO THE NORTHERLY LINE OF SAID LOT 1 A DISTANCE OF 135.20 FEET TO THE POINT OF BEGINNING.

PARCEL 2:

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RECIPROCAL EASEMENTS FOR INGRESS AND EGRESS AS CREATED BY THAT CERTAIN AGREEMENT DATED AUGUST 2, 1979 AND RECORDED WITH THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS ON OCTOBER 1, 1979 AS DOCUMENT NO. 25171074 AND FILED WITH THE REGISTRAR OF TITLES ON OCTOBER 1, 1979 AS DOCUMENT NO. LR 3121973, AND AMENDED BY FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT DATED JANUARY 27, 1981 AND RECORDED WITH THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, ON JUNE 4, 1981 AS DOCUMENT NO. 25893428 AND FILED WITH THE REGISTRAR OF TITLES ON JUNE 4, 1981 AS DOCUMENT NO. LR3218008, PERTAINING TO THE FOLLOWING PARCELS OF LAND:

PARCEL A: LOT 1 IN ARLINGTON PLACE SUBDIVISION, BEING A SUBDIVISION IN SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PARCEL B: LOT 2 IN ARLINGTON PLACE SUBDIVISION, BEING A SUBDIVISION IN SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PARCEL C: LOT 3 IN ARLINGTON PLACE SUBDIVISION, BEING A SUBDIVISION IN SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PARCEL D: LOT 2 IN CARL M. TEUTSCH SUBDIVISION OF PART OF THE EAST HALF OF SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

PARCEL 3:

EASEMENT FOR CREATION AND MAINTENANCE OF A DETENTION/RETENTION POND CREATED BY THAT CERTAIN AGREEMENT DATED DECEMBER 1, 1979 AND RECORDED WITH THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS, ON JANUARY 4, 1980 AS DOCUMENT NO. 25306989 AND FILED WITH THE REGISTRAR OF TITLES ON JANUARY 4, 1980 AS DOCUMENT NO. LR3139276 AND AMENDED BY DOCUMENT NO. 26527048 AND FILED AS DOCUMENT NO. LR3296792 PERTAINING TO LOTS 1, 2 AND 3 AND DESCRIBED AS EASEMENT PARCELS A, B AND C, IN ARLINGTON PLACE SUBDIVISION, BEING A SUBDIVISION IN SECTION 16, TOWNSHIP 41 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

P.I.N. 08-16-200-101 VOL. NO. 050
COMMONLY KNOWN AS: 75 WEST ALGONQUIN ROAD, ARLINGTON HEIGHTS,
ILLINOIS 60004

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EXHIBIT B

PERMITTED ENCUMBRANCES

1. GENERAL TAXES FOR THE YEAR(S) 1996 AND SUBSEQUENT YEARS.

TAX NO.: 08-16-200-101

VOL. NO.: 050

2. MORTGAGE, ASSIGNMENT OF RENTS AND SECURITY AGREEMENT DATED FEBRUARY 1, 1996 AND RECORDED MARCH 11, 1996 AS DOCUMENT NUMBER 96180678 MADE BY I-90 HOTEL, INC. TO FARMERS STATE SAVINGS BANK TO SECURE A NOTE FOR \$8,218,755.05, AND THE TERMS AND CONDITIONS THEREOF.

3. FINANCING STATEMENT EVIDENCING AN INDEBTEDNESS FROM I-90 HOTEL, INC., DEBTOR TO FARMERS STATE SAVINGS BANK, SECURED PARTY, FILED ON MARCH 11, 1996 AS NUMBER 96 U 03118.

4. EASEMENT AND OPERATING AGREEMENT MADE DECEMBER 1, 1979 BY AND BETWEEN AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER A TRUST AGREEMENT DATED NOVEMBER 8, 1978, AND KNOWN AS TRUST NUMBER 45170 RECORDED JANUARY 4, 1980 AS DOCUMENT NO. 25306989, AND FILED AS DOCUMENT NO. LR3139276, AND AMENDED BY DOCUMENT NO. 26527048, RECORDED MARCH 7, 1983 AND FILED AS DOCUMENT NO. LR3296792.

5. RECIPROCAL EASEMENT AGREEMENT MADE AUGUST 2, 1979, BY AND BETWEEN AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER A TRUST AGREEMENT DATED NOVEMBER 8, 1978, AND KNOWN AS TRUST NUMBER 45170, AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER A TRUST AGREEMENT DATED JULY 3, 1979 AND KNOWN AS TRUST NUMBER 47058, ET AL., RECORDED OCTOBER 1, 1979 AS DOCUMENT NO. 25171074 AND FILED AS DOCUMENT NO. LR3121975, AS AMENDED BY FIRST AMENDMENT TO RECIPROCAL EASEMENT AGREEMENT RECORDED JUNE 4, 1981 AS DOCUMENT NO. 25893428 AND FILED AS DOCUMENT NO. LR3218008.

6. EASEMENT OVER AND ACROSS THE SOUTHERLY 10 FEET AND THE EASTERLY 10 FEET OF LOT 1 AFORESAID IN FAVOR OF COMMONWEALTH EDISON COMPANY AND ILLINOIS BELL TELEPHONE COMPANY FOR POLE LINES, CONDUITS AND IN FAVOR OF NORTHERN ILLINOIS GAS COMPANY FOR THE INSTALLATION, RELOCATION, RENEWAL AND REMOVAL OF GAS MAINS AND SUBJECT TO THE CONDITIONS THEREIN AS RESERVED ON THE PLAT OF SUBDIVISION RECORDED NOVEMBER 29, 1979 AS DOCUMENT NO. 25261219 AND FILED NOVEMBER 29, 1979 AS DOCUMENT NO. LR3133810.

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7. SIDEWALK EASEMENT OVER AND ACROSS THE NORTHERLY 10 FEET OF LOT 1, WHICH IS DIRECTLY ADJACENT TO ALGONQUIN ROAD, AS DOCUMENT NO. 25261219 AND FILED NOVEMBER 29, 1979 AS DOCUMENT NO. LR 3133810.

8. EASEMENT IN FAVOR OF ILLINOIS BELL TELEPHONE FOR POLE LINES, CONDUITS AND MAINTENANCE PURPOSES GRANTED BY DOCUMENT LR3162153 AND FILED MAY 22, 1980, AND THE TERMS AND PROVISIONS THEREOF.

(AFFECTS NORTHEASTERLY 100 FEET OF THE NORTHWESTERLY 15 FEET)

9. EASEMENT OVER AND ACROSS A PORTION OF THE LAND AS SHOWN IN SURVEY ATTACHED TO SAID DOCUMENT IN FAVOR OF NORTHERN ILLINOIS GAS COMPANY, FOR THE INSTALLATION, RELOCATION, RENEWAL AND REMOVAL OF GAS MAINS AND SUBJECT TO THE CONDITIONS THEREIN, AS RESERVED BY INSTRUMENT FILED SEPTEMBER 23, 1980 AS DOCUMENT NO. LR3179580.

10. EASEMENT FOR PUBLIC UTILITIES AND DRAINAGE 10 FEET ON THE EASTERLY LINE AND 10 FEET ON THE SOUTHERLY LINE OF THE LAND AS SHOWN ON THE PLAT OF SUBDIVISION.

11. TERMS, CONDITIONS AND PROVISIONS OF THE DOCUMENT CREATING THE EASEMENT DESCRIBED IN SCHEDULE C, TOGETHER WITH THE RIGHTS OF THE ADJOINING OWNERS IN AND TO THE CONCURRENT USE OF SAID EASEMENT.

12. LEASE MADE MAY 23, 1985 BETWEEN AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER A TRUST AGREEMENT DATED NOVEMBER 8, 1978, AND KNOWN AS TRUST NUMBER 45170, TO PARDIP BHATT AND TILOTTAMA BHATT.

13. LEASE DATED NOVEMBER 20, 1979 BETWEEN AMERICAN NATIONAL BANK AND TRUST COMPANY OF CHICAGO, AS TRUSTEE UNDER A TRUST AGREEMENT DATED NOVEMBER 8, 1978, AND KNOWN AS TRUST NUMBER 45170, TO ARLEY'S INC., AN ILLINOIS CORPORATION.

ASSIGNMENT OF LEASE DATED FEBRUARY 24, 1981 FROM ARLEY'S, INC., AN ILLINOIS CORPORATION TO SAGE'S SAGES, INC., AN ILLINOIS CORPORATION.

14. TEMPORARY EASEMENT AWARDED TO THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS, PURSUANT TO CASE NUMBER 93L 51242, AS DISCLOSED BY AGREED FINAL JUDGMENT ORDER RECORDED JUNE 15, 1995 AS DOCUMENT 95387990.

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