

# UNOFFICIAL COPY

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This instrument was prepared by:  
William S. McDowell, Jr.  
Baker & McKenzie  
130 East Randolph Drive  
Chicago, Illinois 60601

1998-04-28 14:07:55

After recording, mail to:

Louis H. Levinson  
Friend, Levinson and Associates, Ltd.  
33 North LaSalle Street, Suite 3200  
Chicago, Illinois 60601

TO  
MAIL

Above Space for Recorder's Use Only

## SPECIAL WARRANTY DEED

DEARBORN-COYTHE 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 David Polayes and Cynthia Ross Polayes, as husband and wife, whose address is 3750 N. Lakeshore Dr., #156, Chicago, Illinois 60613, not in tenancy in common, nor in joint tenancy, but in tenancy by the entirety, with right of survivorship, all of Grantor's right, title and interest in and to:

(i) Unit 1403 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, as amended by First Amendment recorded October 1, 1997 as Document No. 97-730677 and Second Amendment recorded March 19, 1998 as Document No. 98-216407 (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 19 & 88 as delineated on the Plat and as described in Subparagraph 8(a) of the Declaration;

Permanent Real Estate Index Number: 17-04-218-048-1079

Common Address: 1301 North Dearborn Parkway, Unit 1403, 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 0.22 feet to 0.35 feet, with respect to said building, and by 0.68 feet with respect to said fence, as disclosed by the Plat, (iv) applicable zoning and building laws or ordinances, including building lines and

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setbacks, (v) limitations and conditions imposed by the Illinois Condominium Property Act, (vi) installments due after the date of Closing of assessments established and/or levied pursuant to the Declaration, and (vii) acts done or suffered by or judgments against Grantee.

GRANTOR also hereby grants to the Grantee, its successors and assigns, its rights and easements appurtenant to the subject unit described herein, the rights and easements for the benefit of said unit set forth in the Declaration of Condominium; and Grantor reserves to itself, its successors and assigns, the rights and easements set forth in said Declaration for the benefit of the remaining land described therein.

GRANTOR hereby warrants title to the aforesaid property, subject to the matters affecting title thereto described above, against the acts of Grantor, and the lawful claims of every person claiming said property or any part thereof or any interest therein, by, through, or under Grantor by reason of said acts, but not otherwise.

## CERTIFICATE

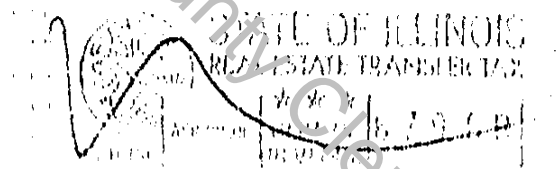
GRANTOR certifies, in accordance with Subparagraph 8(b) of the Declaration, that a copy of this deed has been delivered to the Board (as defined in Subparagraph 1(b) of the Declaration).

IN WITNESS WHEREOF, Grantor has signed these presents on March 31, 1998.

DEARBORN-GOETHE DEVELOPMENT L.L.C.,  
an Illinois limited liability company

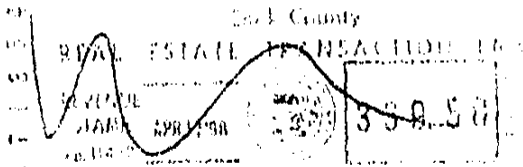
By: [Signature]  
Vice President

STATE OF ILLINOIS )  
                                  )SS  
COUNTY OF COOK )



The foregoing instrument was acknowledged before me on March 31, 1998 by Richard L. Zisook, Vice President of Dearborn-Goethe Development L.L.C., an Illinois limited liability company, on behalf of said company.

[Signature]  
Notary Public



[Signature]  
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