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1999-04-29 11:57:07
Cook County Recorder 39.50

TICOR TITLE

Property of Cook County Clerk's Office

PREPARED BY:

DANIEL E. FAJERSTEIN
MATLIN & FAJERSTEIN
555 SKOKIE BOULEVARD
SUITE 500
NORTHBROOK, ILLINOIS
60062

COOK COUNTY
RECORDER

EUGENE "GENE" MOORE
BRIDGEVIEW OFFICE

AFTER RECORDING, RETURN TO:

ALAN ORLOWSKY
630 DUNDEE ROAD
SUITE 125
NORTHBROOK, ILLINOIS
60062



**PARTIAL ASSIGNMENT AND ASSUMPTION OF GROUND LEASE
AND SPECIAL WARRANTY DEED**

This Partial Assignment and Assumption of Ground Lease and Special Warranty Deed (this "Agreement") is made as of this 19th day of April, 1999, by and between **RKZ VENTURE GROUP, L.L.C.**, an Illinois limited liability company, whose address is 8410 West Bryn Mawr Avenue, Chicago, Illinois 60631 ("Assignor/Grantor"), and **JAMES A. HARTLAGE and SHIRLEY A. HARTLAGE**, whose address is 3926 Brittany Way, Northbrook, IL 60062 ("Assignee/Grantee").

Assignor/Grantor, for and in consideration of the sum of Ten and No/Dollars (\$10.00) and other good and valuable consideration in hand paid by Assignee/Grantee, the receipt of which is hereby acknowledged, by these presents

Ticor
250038
1

PROPERTY

Property of Cook County Clerk's Office

IBT #
1174-8184

STATE OF ILLINOIS

APR--99



516.00

REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE 966868

Cook County
REAL ESTATE TRANSACTION TAX

APR--99



258.00

REVENUE STAMP

963204

does REMISE, RELEASE, ALIEN AND CONVEY, AND ASSIGN, unto Assignee/Grantee, the property, as Husband and Wife, as Joint Tenants, the Property, situated in the County of Cook and State of Illinois known and described as Exhibit "A" attached hereto and made a part hereof (collectively, the "Property").

Together with the exclusive right to use and enjoy the Limited Common Area appurtenant to the Building Site and legally described on Exhibit "B" attached hereto and by this reference made a part hereof (the "Limited Common Area"), in accordance with the provisions of the Declaration. Together with all and singular 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 Assignor/Grantor, either in law or equity of, in and to the Property, with the hereditaments and appurtenances (but excluding fee simple title to the land):

TO HAVE AND TO HOLD, the Property, with the appurtenances, unto Assignee/Grantee.

And Assignor/Grantor, for itself and its successors, does covenant, promise and agree to and with Assignee/Grantee and its successors, that it has not done or suffered to be done, anything whereby the Property is, or may be, in any manner encumbered or charged, except as recited in this Agreement; and that it WILL WARRANT AND DEFEND the Property against all persons lawfully claiming or to claim the same, by, through or under it, subject only to:

- (1) general real estate taxes not due and payable as of the date of Closing;
- (2) the Ground Lease, including all amendments and exhibits;
- (3) the Declaration, including all amendments and exhibits;
- (4) applicable zoning and building laws and ordinances and other ordinances of record;
- (5) acts done or suffered by Purchaser or anyone claiming by, through or under Purchaser;
- (6) utility easements, if any, whether recorded or unrecorded;
- (7) covenants, conditions, restrictions, easements, declarations and agreements of record including, without limitation, those set forth on the Final Subdivision Plat and Final Planned Unit Development Plat of Royal Ridge recorded with the Office of the Recorder of Deeds of Cook County, Illinois on November 3, 1997 as Document No. 97818381; and
- (8) liens and other matters of title over which Ticor Title Insurance Company is willing to insure without cost to Assignee/Grantee.

appeared before me this day in person and acknowledged that he signed and delivered the instrument as his free and voluntary act and the free and voluntary act of such limited liability company, for the uses and purposes set forth therein.

GIVEN under my hand and notarial seal this 19th day of April, 1999.

Laura Lee Shields

Notary Public

My Commission expires:



Send subsequent tax bills to:

James A. Hartlage and Shirley A. Hartlage
2229 Wyndance Way
Northbrook, IL 60062

Property of Cook County Clerk's Office

LEGAL DESCRIPTION

EXHIBIT "A"

PARCEL I:

AN UNDIVIDED 1/151 INTEREST IN (I) THAT CERTAIN GROUND LEASE DATED AS OF NOVEMBER 22, 1996, BY AND BETWEEN COLE TAYLOR BANK, AS SUCCESSOR-TRUSTEE TO HARRIS TRUST AND SAVINGS BANK UNDER TRUST AGREEMENT DATED APRIL 29, 1991 AND KNOWN AS TRUST NO. 94707, AS LESSOR ("LESSOR"), AND ASSIGNOR/GRANTOR, AS LESSEE, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS ON DECEMBER 9, 1996 AS DOCUMENT NO. 96927871, AS AMENDED BY THAT CERTAIN FIRST AMENDMENT TO GROUND LEASE DATED AS OF JANUARY 6, 1997 BY AND BETWEEN LESSOR AND ASSIGNOR/GRANTOR, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS ON FEBRUARY 28, 1997 AS DOCUMENT NO. 97141059, AS AMENDED BY THAT CERTAIN JOINDER TO GROUND LEASE DATED AS OF NOVEMBER 7, 1997 BY THE ROYAL RIDGE HOMEOWNERS ASSOCIATION, AN ILLINOIS NOT FOR PROFIT CORPORATION, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS ON NOVEMBER 12, 1997 AS DOCUMENT NO. 97846934, AND AS FURTHER AMENDED FROM TIME TO TIME (COLLECTIVELY, THE "GROUND LEASE"); AND (II) THE LEASEHOLD ESTATE IN THE PREMISES (THE "PREMISES") LEGALLY DESCRIBED AS:

LOT 1 IN ROYAL RIDGE SUBDIVISION, BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF NORTHBROOK, COOK COUNTY, ILLINOIS, PURSUANT TO THE PLAT THEREOF RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS ON NOVEMBER 3, 1997 AS DOCUMENT NO. 97818381.

COMMONLY KNOWN AS TECHNY PARCEL E-1 LOCATED ON THE EAST SIDE OF WAUKEGAN ROAD, SOUTH OF TECHNY ROAD, IN NORTHBROOK, ILLINOIS.

PERMANENT INDEX NUMBER: 04-14-301-004

Prop Address 229 Wyndance Way
Northbrook IL 60062

EACH WITH RESPECT SOLELY TO THE BUILDING SITE IDENTIFIED AND LEGALLY DESCRIBED AS FOLLOWS:

BUILDING SITE 126

BEING THAT PART OF LOT 1 IN THE PLANNED UNIT DEVELOPMENT OF ROYAL RIDGE, BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 3, 1997 AS DOCUMENT NUMBER 97818381, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 464.68 FEET; THENCE NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 54.11 FEET TO THE EXTERIOR CORNER OF A CONCRETE FOUNDATION FOR A RESIDENCE (KNOWN AS 2229 WYNDANCE WAY) FOR A PLACE OF BEGINNING; THENCE ALONG A LINE FOLLOWING THE NEXT EIGHT (8) COURSES AND DISTANCES COINCIDENT WITH THE EXTERIOR FOUNDATION WALL OF SAID RESIDENCE; 1) SOUTH 01 DEGREES 04 MINUTES 54 SECONDS WEST 11.33 FEET; 2) SOUTH 88 DEGREES 55 MINUTES 06 SECONDS EAST 2.37 FEET; 3) SOUTH 43 DEGREES 55 MINUTES 06 SECONDS EAST 7.54 FEET; 4) SOUTH 01 DEGREES 04 MINUTES 54 SECONDS WEST 10.92 FEET; 5) SOUTH 88 DEGREES 55 MINUTES 06 SECONDS EAST 2.00 FEET; 6) SOUTH 01 DEGREES 04 MINUTES 54 SECONDS WEST 4.00 FEET; 7) SOUTH 88 DEGREES 55 MINUTES 06 SECONDS EAST 8.04 FEET; 8) SOUTH 01 DEGREES 04 MINUTES 54 SECONDS WEST 17.25 FEET TO THE CENTERLINE OF A PARTY WALL; THENCE NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST ALONG THE CENTERLINE OF A PARTY WALL 52.82 FEET; THENCE ALONG A LINE FOLLOWING THE NEXT (FIVE) 5 COURSES AND DISTANCES COINCIDENT WITH THE EXTERIOR FOUNDATION WALL OF SAID RESIDENCE; 1) NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST 7.08 FEET; 2) SOUTH 88 DEGREES 55 MINUTES 06 SECONDS EAST 5.00 FEET; 3) NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST 20.17 FEET; 4) NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 25.42 FEET; 5) NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST 21.58 FEET; THENCE SOUTH 88 DEGREES 55 MINUTES 06 SECONDS EAST 55.50 FEET; TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS (THE "BUILDING SITE") BUILDING SITE COMMONLY KNOWN AS 2229 WYNDANCE WAY, NORTHBROOK, ILLINOIS 60062.

PARCEL II:

FEE SIMPLE TITLE IN AND TO THE BUILDING AND ALL IMPROVEMENTS (BUT EXCLUDING THE LAND) LOCATED ON THE BUILDING SITE LEGALLY DESCRIBED HEREIN (INCLUDING ANY PORTION OF SUCH BUILDING AND IMPROVEMENTS WHICH IS LOCATED ON PORTIONS OF THE COMMON AREA (AS DEFINED IN THAT CERTAIN DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS, EASEMENTS AND RIGHTS FOR THE ROYAL RIDGE SUBDIVISION DATED AS OF NOVEMBER 3, 1997, AND RECORDED WITH THE OFFICE OF THE RECORDER OF DEEDS OF COOK COUNTY, ILLINOIS ON NOVEMBER 3, 1997 AS DOCUMENT NO. 97820006 (THE "DECLARATION")), WHICH IMPROVEMENTS CONSIST OF A DWELLING UNIT (AS DEFINED IN THE DECLARATION); SUBJECT TO THE TERMS AND PROVISIONS OF THE GROUND LEASE.

PARCEL III:

EASEMENTS APPURTENANT TO PARCELS 1 AND 2 FOR THE BENEFIT OF SUCH PARCELS AS SET FORTH IN THE AFORESAID DECLARATION.

Property of Cook County Clerk's Office

EXHIBIT "B"

LIMITED COMMON AREA FOR BUILDING SITE 126

THAT PART OF LOT 1 IN THE PLANNED UNIT DEVELOPMENT OF ROYAL RIDGE, BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 3, 1997 AS DOCUMENT NUMBER 97818381, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 464.68 FEET; THENCE NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 54.11 FEET TO THE EXTERIOR CORNER OF A CONCRETE FOUNDATION FOR A RESIDENCE (KNOWN AS 2229 WYNDANCE WAY) FOR A PLACE OF BEGINNING; THENCE SOUTH 88 DEGREES 55 MINUTES 06 SECONDS EAST 17.74 FEET; THENCE SOUTH 01 DEGREES 04 MINUTES 54 SECONDS WEST 31.58 FEET TO AN EXTERIOR CORNER OF SAID CONCRETE FOUNDATION; THENCE ALONG A LINE FOLLOWING THE NEXT SIX (6) COURSES AND DISTANCES COINCIDENT WITH THE EXTERIOR FOUNDATION WALL OF SAID RESIDENCE; 1) NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 8.04 FEET; 2) NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST 4.00 FEET; 3) NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 2.00 FEET; 4) NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST 10.92 FEET; 5) NORTH 43 DEGREES 55 MINUTES 06 SECONDS WEST 7.54 FEET; 6) NORTH 88 DEGREES 55 MINUTES 06 SECONDS WEST 2.37 FEET; THENCE NORTH 01 DEGREES 04 MINUTES 54 SECONDS EAST 11.33 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

Clerk's Office

ACCEPTANCE AND ASSUMPTION BY ASSIGNEE/GRANTEE

The undersigned, Assignee/Grantee, hereby accepts the assignment of the Property from Assignor/Grantor and joins in the execution of this Agreement for the purpose of agreeing to assume those rights and obligations of the Lessee pursuant to the terms of the Ground Lease as described in this Agreement and to agree to the other terms and provisions of this Agreement.

James A. Hartlage

James A. Hartlage

Shirley A. Hartlage

Shirley A. Hartlage
by James A. Hartlage
Att'y in fact

STATE OF IL)
COUNTY OF COOK) SS.

I, The undersigned a notary public, in and for the County and State aforesaid, DO HEREBY CERTIFY that James A. Hartlage and Shirley A. Hartlage, ^{his wife} personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they signed and delivered the instrument as their own free and voluntary act, for the uses and purposes set forth therein.

GIVEN under my hand and notarial seal this 19th day of April, 1999.

Sandra A. Yohe

Notary Public

My Commission Expires:

