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99654393

Exempt under Paragraph 45 Section e,
Real Estate Transfer Tax Law

17/0001 08 001 Page 1 of 8
1999-07-08 15:25:54
Cook County Recorder 35.50

This Instrument Prepared by:

Jeffrey D. Friedman
Seyfarth, Shaw, Fairweather & Geraldson
55 E. Monroe, Suite 4200
Chicago, Illinois 60603



99654393

Upon Recording, Return to:

Akin, Gump, Strauss, Hauer & Feld, L.L.P.
1700 Pacific Avenue, Suite 4100
Dallas, Texas 75201
Attn: Carl B. Lee, P.C.

Property Address:

1939 North Meacham Road
Schaumburg, Illinois

P.I.N. 07-01-101-007-0000

07-12-101-022-0000

49623
VILLAGE OF SCHAUMBURG
DEPT. OF FINANCE AND ADMINISTRATION
REAL ESTATE TRANSFER TAX
DATE 7/7/99
AMT. PAID \$0.00

WARRANTY DEED

Deed made as of this 28 day of June, 1999, by Interstone/CGL Partners, L.P., a Delaware limited partnership (the "Grantor"), and ES Schaumburg, LLC, a Delaware limited liability company (the "Grantee").

Grantor, for and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid, the receipt and sufficiency of which are hereby acknowledged, and pursuant to authority of its general partner, conveys and warrants to Grantee that certain real property situated in the County of Cook, State of Illinois described on **Exhibit A** and attached hereto (the "**Property**"), together with the hereditaments and appurtenances pertaining to such Property, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever of Grantor in and to such Property, TO HAVE AND TO HOLD the Property, together with the foregoing appurtenances, forever.

Subject only to the Permitted Exceptions described on **Exhibit B** attached hereto.

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

Interstone/CGL Partners, L.P., a Delaware limited partnership

By: IHC Realty Corporation, its general partner

By: [Signature]
Name:
Title:

**JOHN P. BOHLMANN
VICE PRESIDENT**

DEC 08/83627 JR

STATE OF ILLINOIS

COUNTY OF LAKE

New York
)
) SS.
)
New York

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I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that John P. Bohlmann VP, of IHC Realty Corp(n) Delaware corporation personally known to me to be the person holding such office in such corporation whose name is subscribed to the foregoing Warranty Deed, appeared before me this day in person and acknowledged that he signed and delivered said Deed as his 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 28 day of June, 1999.

Lila E. Gaston
My Commission expires: _____

Notary Public

LILA E. GASTON
Notary Public, State of New York
No. 4879857
Qualified in New York County
Commission Expires 8/29/99

My Commission expires:



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EXHIBIT A
Legal Description

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LEGAL DESCRIPTION:

PARCEL 1:

LOT 1 IN THE RESUBDIVISION OF LOTS 1 AND 2 IN WALDEN INTERNATIONAL, BEING A SUBDIVISION OF PART OF FRACTIONAL SECTION 1 AND PART OF THE NORTH 1/2 OF SECTION 12, IN TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF RESUBDIVISION RECORDED OCTOBER 6, 1982 AS DOCUMENT NO. 26374113, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

PERPETUAL AND NON-EXCLUSIVE EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 AS CREATED BY ARTICLE IV OF THE DECLARATION OF PROTECTIVE COVENANTS, RECORDED MARCH 28, 1980 AS DOCUMENT NO. 25406331, FOR INGRESS AND EGRESS AND UTILITIES UPON, OVER, ALONG, AND ACROSS "DRUMMER DRIVE" AS DEPICTED ON EXHIBIT 3 OF DOCUMENT NO. 25406331.

PARCEL 3:

PERPETUAL AND NON-EXCLUSIVE EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 AS SET FORTH IN PARAGRAPH 1 OF THE DECLARATION OF EASEMENTS FOR RESUBDIVISION OF LOTS 1 AND 2 IN WALDEN INTERNATIONAL, FOR THE PURPOSE OF INGRESS AND EGRESS UPON, OVER, ALONG AND ACROSS THE AREAS DESIGNATED AS "ACCESS AND CIRCULATION ROADS AND SIDEWALKS" ON EXHIBIT B OF DOCUMENT NO. 26442124 AND CREATED BY DEED RECORDED DECEMBER 17, 1982 AS DOCUMENT NO. 26442125.

PARCEL 4:

PERPETUAL AND NON-EXCLUSIVE EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 AS CREATED BY ARTICLE IV OF THE DECLARATION OF PROTECTIVE COVENANTS RECORDED MARCH 28, 1980 AS DOCUMENT NO. 25406331 FOR DRAINAGE OVER AND UPON THE "STORM WATER DETENTION AREAS" AS DEPICTED ON EXHIBIT 3 OF DOCUMENT NO. 25406331.

PARCEL 5:

EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 UPON, OVER, UNDER, ALONG AND ACROSS THOSE PARTS OF LOTS 3, 4, 5 AND 6 AS SET FORTH ON THE PLAT OF SUBDIVISION OF WALDEN INTERNATIONAL, RECORDED JANUARY 30, 1980 AS DOCUMENT NO. 25342431, WITHIN THE AREAS MARKED "UTILITY EASEMENTS" AND UPON, OVER, UNDER, ALONG AND ACROSS THOSE PARTS OF LOTS 2 AND 3 AS SET FORTH ON THE PLAT OF RESUBDIVISION OF LOTS 1 AND 2 OF WALDEN INTERNATIONAL, RECORDED OCTOBER 6, 1982 AS DOCUMENT NO. 26374113, WITHIN THE AREAS MARKED "UTILITY EASEMENTS HEREBY DEDICATED" AND "EXISTING UTILITY EASEMENTS", FOR THE PURPOSES OF SEWER, GAS AND WATER SERVICES.

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PARCEL 6:

PERPETUAL AND NON-EXCLUSIVE EASEMENTS APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1 UPON, OVER, UNDER, ALONG AND ACROSS THOSE PARTS OF LOTS 2 AND 3 OF THE RESUBDIVISION OF LOTS 1 AND 2 IN WALDEN INTERNATIONAL, AS SET FORTH IN THE DECLARATION OF EASEMENTS FOR RESUBDIVISION OF LOTS 1 AND 2 IN WALDEN INTERNATIONAL, FOR CONSTRUCTING, UTILIZING, REPAIRING, MAINTAINING AND RECONSTRUCTING "UTILITY LINES" AS DEPICTED IN EXHIBIT C OF SAID DECLARATION RECORDED DECEMBER 17, 1982 AS DOCUMENT NO. 26442124 AND CREATED BY DEED RECORDED DECEMBER 17, 1982 AS DOCUMENT NO. 26442125, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 7:

PERPETUAL AND NON-EXCLUSIVE EASEMENT FOR THE PARKING OF MOTOR VEHICLES AND FOR INGRESS AND EGRESS FOR MOTOR VEHICLES AND PEDESTRIANS TO AND FROM PARCEL 1 OVER THE OFFICE PARCEL PARKING AREA AS CREATED AND DEFINED IN THE PARKING EASEMENT AGREEMENT DATED NOVEMBER 17, 1995 AND RECORDED DECEMBER 29, 1995 AS DOCUMENT NUMBER 95908016 AND RE-RECORDED DECEMBER 6, 1996 AS DOCUMENT NUMBER 96926551 MADE BY AMERICAN NATIONAL BANK AND TRUST COMPANY AS TRUSTEE UNDER TRUST NUMBER 107177-00 AND QUEBEC STREET INVESTMENTS INC.

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Exhibit B

1. TAXES FOR THE YEARS 1998 FINAL INSTALLMENT, 1999 AND SUBSEQUENT YEARS, WHICH ARE NOT YET DUE AND PAYABLE.

TAX NO.: 07-01-101-007 VOL. NO.: 187 (AFFECTS PART OF PARCEL 1)
TAX NO.: 07-12-101-022 VOL. NO.: 187 (AFFECTS PART OF PARCEL 1)

2. DECLARATION OF PROTECTIVE COVENANTS WALDEN INTERNATIONAL BY LASALLE NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED MARCH 1, 1973 AND KNOWN AS TRUST NUMBER 45533 AND AS TRUSTEE UNDER TRUST AGREEMENT DATED SEPTEMBER 6, 1973 AND KNOWN AS TRUST NUMBER 46592 DATED MARCH 17, 1980 AND RECORDED MARCH 28, 1980 AS DOCUMENT 25406331 AND DESIGNATION AND ASSIGNMENT RECORDED AS DOCUMENT 25919369, WHICH INCLUDE AMONG OTHER ITEMS, PROVISIONS FOR LIENS FOR NONPAYMENT OF ASSESSMENTS

NOTE: SAID INSTRUMENT CONTAINED NO PROVISION FOR A FORFEITURE OF OR REVERSION OF TITLE IN CASE OF BREACH OF CONDITION. NO ASSESSMENTS ARE OUTSTANDING AND DUE AND PAYABLE AS OF DATE OF POLICY.

(AFFECTS PARCEL 1)

3. EASEMENTS FOR PUBLIC UTILITIES AND DRAINAGE OVER, UPON, ACROSS AND UNDER THAT PORTION OF THE LAND AS DEPICTED ON PLAT OF SUBDIVISION RECORDED JANUARY 30, 1980 AS DOCUMENT 25342431 AND SHOWN ON PLAT OF RESUBDIVISION RECORDED OCTOBER 6, 1982 AS DOCUMENT 26374113, AS SHOWN ON SURVEY MADE BY JOSEPH A. SCHUDT & ASSOCIATES DATED MAY 28, 1999 LAST REVISED JUNE 3, 1999 AS JAS JOB NO. 9511-028A.

(AFFECTS PARCEL 1)

4. EASEMENT FOR BICYCLE PATH IN FAVOR OF THE VILLAGE OF SCHAUMBURG OVER THE WESTERLY 15 FEET OF THE LAND AS DISCLOSED BY GRANT OF EASEMENT RECORDED MARCH 26, 1981 AS DOCUMENT 25819220, AS SHOWN ON SURVEY MADE BY JOSEPH A. SCHUDT & ASSOCIATES DATED MAY 28, 1999 LAST REVISED JUNE 3, 1999 AS JAS JOB NO. 9511-028A.

(AFFECTS PARCEL 1)

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5. DECLARATION OF EASEMENTS, COVENANTS AND RESTRICTIONS MADE DECEMBER 14, 1981 BY WALDEN INVESTMENT CORPORATION, A CORPORATION OF ILLINOIS, TO AMERICAN NATIONAL BANK, AS TRUSTEE UNDER TRUST AGREEMENT DATED APRIL 15, 1981 KNOWN AS TRUST NUMBER 52538, SAID DECLARATION RECORDED DECEMBER 17, 1981 AS DOCUMENT 26088347, AS SHOWN ON SURVEY MADE BY JOSEPH A. SCHUDT & ASSOCIATES DATED MAY 28, 1999 LAST REVISED JUNE 3, 1999 AS JAS JOB NO. 9511-028A.

(AFFECTS PARCEL 1)

6. DECLARATION OF EASEMENTS MADE BY WALDEN INVESTMENT CORPORATION, A CORPORATION OF ILLINOIS, RECORDED DECEMBER 17, 1982 AS DOCUMENT 26442124.

(AFFECTS PARCEL 1)

7. EASEMENT IN FAVOR OF COMMONWEALTH EDISON COMPANY, AND/OR THEIR SUCCESSORS IN INTEREST, AN EASEMENT FOR FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY, TOGETHER WITH RIGHT OF ACCESS TO SAME GRANTED BY DOCUMENT 26841094, RECORDED ON OCTOBER 28, 1983, AND THE TERMS AND CONDITIONS THEREOF, AS SHOWN ON SURVEY MADE BY JOSEPH A. SCHUDT & ASSOCIATES DATED MAY 28, 1999 LAST REVISED JUNE 3, 1999 AS JAS JOB NO. 9511-028A.

8. TERMS, PROVISIONS, CONDITIONS AND LIMITATIONS OF THE PARKING EASEMENT AGREEMENT RECORDED DECEMBER 29, 1995 AS DOCUMENT 95908016 AND RE-RECORDED DECEMBER 6, 1996 AS DOCUMENT 96926551 GRANTING AN EASEMENT FOR PARKING OVER PARCEL 1 AND OTHER PROPERTY NOT NOW IN QUESTION MADE BY AND BETWEEN AMERICAN NATIONAL BANK AND TRUST COMPANY, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 15, 1988 KNOWN AS TRUST NUMBER 107177-00 AND QUEBEC STREET INVESTMENTS, INC., A DELAWARE CORPORATION.

STATEMENT BY GRANTOR AND GRANTEE

The grantor or his agent affirms that, to the best of his knowledge, the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquire and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire title to real estate under the laws of the State of Illinois.

Dated 7-7, 1999 Signature: [Signature]
Grantor or Agent

Subscribed and sworn to before me by the said affiant this 7th day of July, 1999.

Notary Public [Signature]

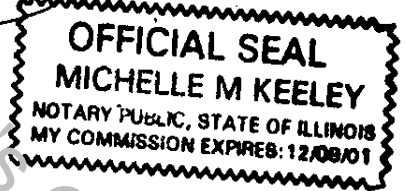


The grantee or his agent affirms and verifies that the name of the grantee shown on the deed or assignment of beneficial interest in a land trust is either a natural person, an Illinois corporation or foreign corporation authorized to do business or acquire and hold title to real estate in Illinois, a partnership authorized to do business or acquired and hold title to real estate in Illinois, or other entity recognized as a person and authorized to do business or acquire and hold title to real estate under the laws of the State of Illinois.

Dated 7-7, 1999 Signature: [Signature]
Grantee or Agent

Subscribed and sworn to before me by the said affiant this 7th day of July, 1999.

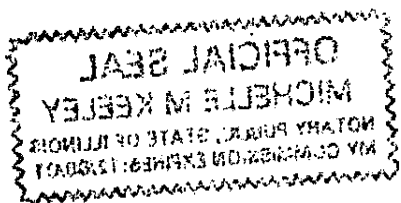
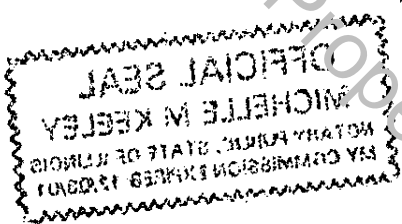
Notary Public [Signature]



NOTE: Any person who knowingly submits a false statement concerning the identity of a grantee shall be guilty of a Class C misdemeanor for the first offense and of a Class A misdemeanor for subsequent offenses.

(Attach to deed or ABI to be recorded in Cook County, Illinois, if exempt under the provisions of Section 4 of the Illinois Real Estate Transfer Tax Act.)

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