

After recording return to:  
Thomas S. Reif, Esq.  
Mayer, Brown & Platt  
190 South LaSalle Street  
Chicago, Illinois 60603  
(312) 701-7933



Prepared by:  
Jack Feirman  
60 East 42nd Street  
New York, New York 10165

(The Above Space for Recorder's Use Only)

99-072-7

DEED

THIS DEED is made as of the 21st day of September, 1999, by Chicago Foxfire Apartments Limited Partnership (the "Grantor"), having an address c/o W&M Properties, Inc., 60 East 42nd Street, New York, New York 10165, to Archstone Communities Trust (the "Grantee"), having an address at 7670 South Chester Street, Englewood, Colorado 80112.

Grantor, for and in consideration of the sum of ten and no/100 (\$10.00) dollars and other valuable consideration, receipt whereof is hereby acknowledged, and pursuant to proper authority, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee all right, title and interest of Grantor the real property situated in the County of Cook and State of Illinois, described in Schedule A attached hereto, together with all tenements, hereditaments and appurtenances thereunto belonging, subject to the exceptions listed on Schedule B attached hereto.

TO HAVE AND TO HOLD the same in fee simple forever.

Permanent Real Estate Index Numbers: 02-02-204-010; 02-02-400-063

Address of Real Estate: 2060 North Rand Road, Palatine, Illinois 60074

This Deed is an absolute conveyance by the Grantor of the above described real estate and is not intended as a mortgage, trust conveyance or security of any kind.

CHICAGO FOXFIRE APARTMENTS  
LIMITED PARTNERSHIP

By: Malkin Foxfire L.L.C., General Partner

By:   
Name: Peter L. Malkin  
Title: Member

By:   
Name: Anthony E. Malkin  
Title: Member

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Property Cook County Clerk's Office

COOK COUNTY  
REAL ESTATE TRANSACTION TAX  
SEP. 21.99  
REVENUE STAMP

REAL ESTATE  
TRANSFER TAX  
06369,50  
FP326670  
# 000000818

STATE OF ILLINOIS  
STATE TAX  
SEP. 21.99  
REAL ESTATE TRANSFER TAX  
DEPARTMENT OF REVENUE

REAL ESTATE  
TRANSFER TAX  
12739,00  
FP326660  
# 000000386

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## ACKNOWLEDGEMENT

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STATE OF NEW YORK )  
: SS:  
COUNTY OF NEW YORK )


On this 21st day of September, 1999, before me personally came Peter L. Malkin, to me known, who being by me duly sworn, did depose and say that he has an address at 60 East 42<sup>nd</sup> Street, New York, New York 10165; that he is a Managing Member of the General Partner of Chicago Foxfire Apartments, Limited Partnership, a limited partnership of the State of Illinois in existence and organized and individually and as such managing member and general agent thereof who executed the foregoing for the purposes therein set forth, and who duly acknowledged to me that he so executed the same.

  
Notary Public

STATE OF NEW YORK )  
: SS:  
COUNTY OF NEW YORK )

CATHLEEN McGLYNN  
Notary Public, State of New York  
No. 01MC5068170  
Qualified in Queens County  
Commission Expires October 28, 2000

On this 21st day of September, 1999, before me personally came Anthony E. Malkin, to me known, who being by me duly sworn, did depose and say that he has an address at 60 East 42<sup>nd</sup> Street, New York, New York 10165; that he is a Managing Member of the General Partner of Chicago Foxfire Apartments, Limited Partnership, a limited partnership of the State of Illinois in existence and organized and individually and as such managing member and general agent thereof who executed the foregoing for the purposes therein set forth, and who duly acknowledged to me that he so executed the same.

  
Notary Public

CATHLEEN McGLYNN  
Notary Public, State of New York  
No. 01MC5068170  
Qualified in Queens County  
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Schedule A

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LEGAL DESCRIPTION:

A PART OF THE EAST ½ OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE CENTER LINE OF RAND ROAD, WHICH IS 901.10 FEET SOUTHEASTERLY OF THE INTERSECTION OF SAID CENTER LINE, WITH THE CENTER LINE OF HICKS ROAD; THENCE SOUTHWESTERLY AT RIGHT ANGLES TO THE CENTER LINE OF RAND ROAD AND SAID CENTER LINE EXTENDED, A DISTANCE OF 50.04 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF RAND ROAD, BEING THE POINT OF BEGINNING; THENCE SOUTHEAST, ALONG THE SAID SOUTHWESTERLY RIGHT-OF-WAY LINE OF RAND ROAD, BEING A CURVE, CONVEX TO THE NORTHEAST AND HAVING A RADIUS OF 10,743.00 FEET, 50.04 FEET DISTANT FROM THE CENTER LINE THEREOF, AN ARC DISTANCE OF 254.17 FEET, HAVING A CHORD BEARING OF SOUTH 43 DEGREES 6 MINUTES 29 SECONDS EAST (ASSUMED BEARING) AND A CHORD LENGTH OF 254.16 FEET; THENCE SOUTH 47 DEGREES 34 MINUTES 10 SECONDS WEST, A DISTANCE OF 10.00 FEET; THENCE SOUTHEASTERLY, ALONG A CURVE CONVEX TO THE NORTHEAST, HAVING A RADIUS OF 10,733.00 FEET, AN ARC DISTANCE OF 110.00 FEET, HAVING A CHORD BEARING OF SOUTH 42 DEGREES 34 MINUTES 10 SECONDS WEST AND A CHORD LENGTH OF 110.00 FEET; THENCE NORTH 48 DEGREES 9 MINUTES 25 SECONDS EAST, A DISTANCE OF 10.00 FEET; THENCE SOUTHEASTERLY, ALONG A CURVE CONVEX TO THE NORTHEAST, HAVING A RADIUS OF 10,743 FEET, AN ARC DISTANCE OF 99.00 FEET HAVING A CHORD BEARING OF SOUTH 41 DEGREES 34 MINUTES 36 SECONDS EAST, AND A CHORD LENGTH OF 99.90 FEET; THENCE SOUTH 49 DEGREES 14 MINUTES 23 SECONDS WEST, A DISTANCE OF 927.74 FEET; THENCE NORTH 81 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 562.66 FEET, TO THE EASTERLY RIGHT-OF-WAY LINE OF HICKS ROAD, BEING 1306.03 FEET SOUTHERLY, AS MEASURED ALONG THE EASTERLY RIGHT-OF-WAY LINE OF HICKS ROAD, FROM THE MOST WESTERLY CORNER OF SAID LOT 1 IN HASTEROCK PARK; THENCE NORTHERLY ALONG THE EASTERLY RIGHT-OF-WAY LINE OF HICKS ROAD, BEING A CURVED LINE, 50.00 FEET EASTERLY, MEASURED RADially, OF THE CENTER LINE OF SAID HICKS ROAD, CONVEX TO THE NORTHWEST, HAVING A RADIUS OF 2814.93, AN ARC DISTANCE OF 574.23 FEET, HAVING A CHORD BEARING OF NORTH 4 DEGREES 53 MINUTES 50 SECONDS EAST, AND A CHORD LENGTH OF 573.21 FEET; THENCE SOUTH 87 DEGREES 45 MINUTES 21 SECONDS EAST, A DISTANCE OF 296.28 FEET; THENCE NORTH 46 DEGREES 3 MINUTES 14 SECONDS EAST, A DISTANCE OF 250.00 FEET; THENCE SOUTH 43 DEGREES 56 MINUTES 45 SECONDS EAST, A DISTANCE OF 200.00 FEET; THENCE NORTH 46 DEGREES 3 MINUTES 15 SECONDS EAST, A DISTANCE OF 390.00 FEET, TO THE POINT OF BEGINNING, CONTAINING 687,679 SQUARE FEET OR 15.787 ACRES, MORE OR LESS.

LESS AND EXCEPT THAT PORTION CONVEYED TO KATHY JORDAN BY DEED FROM CHICAGO FOXFIRE APARTMENTS LIMITED PARTNERSHIP, AN ILLINOIS LIMITED PARTNERSHIP, DATED AUGUST 8, 1994 AND RECORDED OCTOBER 14, 1994 AS DOCUMENT NUMBER 94882063.

NOTE: ABOVE TRACT OF LAND IS ALSO COMMONLY KNOWN AS LOTS 1 THROUGH 13, INCLUSIVE, AND OUTLOT "A" IN HAMPTON PLACE PLAT OF PLANNED UNIT DEVELOPMENT IN THE EAST HALF OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

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## Schedule B

### Exceptions

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1. Any state of facts shown on (A) that certain Land Title Survey prepared by David L. Humphrey dated July 30, 1990 and revised last on August , 1999 and (B) any subsequent state of facts that an accurate survey prepared after the last survey referenced in would reveal.
2. Leases and the rights and claims of persons in possession of the Premises or any portion thereof.
3. Violations (including sidewalk violations), whether or not noted or issued, of any or all building, fire, safety and other laws, codes, ordinances and regulations and liens arising out of any of the foregoing which may affect any portion of the Premises.
4. General taxes for the year(s) 1998, 1999 and subsequent years.
5. Grant of easement recorded July 24, 1946 as Document Number 13853183 in favor of The Public Service Company of Northern Illinois for an 18 inch gas main.
6. Covenants, conditions and restrictions contained in Declaration recorded as Document Number 86395556, and any amendments thereto.
7. Easements and provisions contained in Hampton Place Planned Unit Development recorded September 5, 1986 as Document 86395555 for servicing the planned unit development as shown therein and other property with electric, communications, sewer, water, gas and drainage service reserved for and granted to the Village of Palatine, The Commonwealth Edison Company, The Illinois Bell Telephone Company, and Northern Illinois Gas Company, their successors and assigns, all as shown on plat recorded herewith.
8. Notice of requirements for storm water retention recorded as Document Number 24702890.
9. Mortgage from Chicago Foxfire Apartments Limited Partnership, an Illinois limited partnership to Metropolitan Life Insurance Company, a New York corporation, to secure an original indebtedness of \$8,500,000.00, dated September 21, 1995 and recorded September 21, 1995 as Document Number 95639381.
10. Assignment of Rents made by Chicago Foxfire Apartments Limited Partnership, an Illinois limited partnership to Metropolitan Life Insurance Company, a New York corporation dated September 21, 1995 and recorded September 21, 1995 as Document Number 95639382.
11. Unsecured Indemnity Agreement by Chicago Foxfire Apartments Limited Partnership, an Illinois limited partnership to Metropolitan Life Insurance Company, a New York corporation dated September 20, 1995 and recorded January 11, 1996 as Document Number 96027984.
12. Security interest of Metropolitan Life Insurance Company, secured party, in certain described chattels on the land, as disclosed by Financing Statement executed by Chicago Foxfire Apartments Limited Partnership, debtor, and filed on September 21, 1995 as Document Number 95 U 11906.